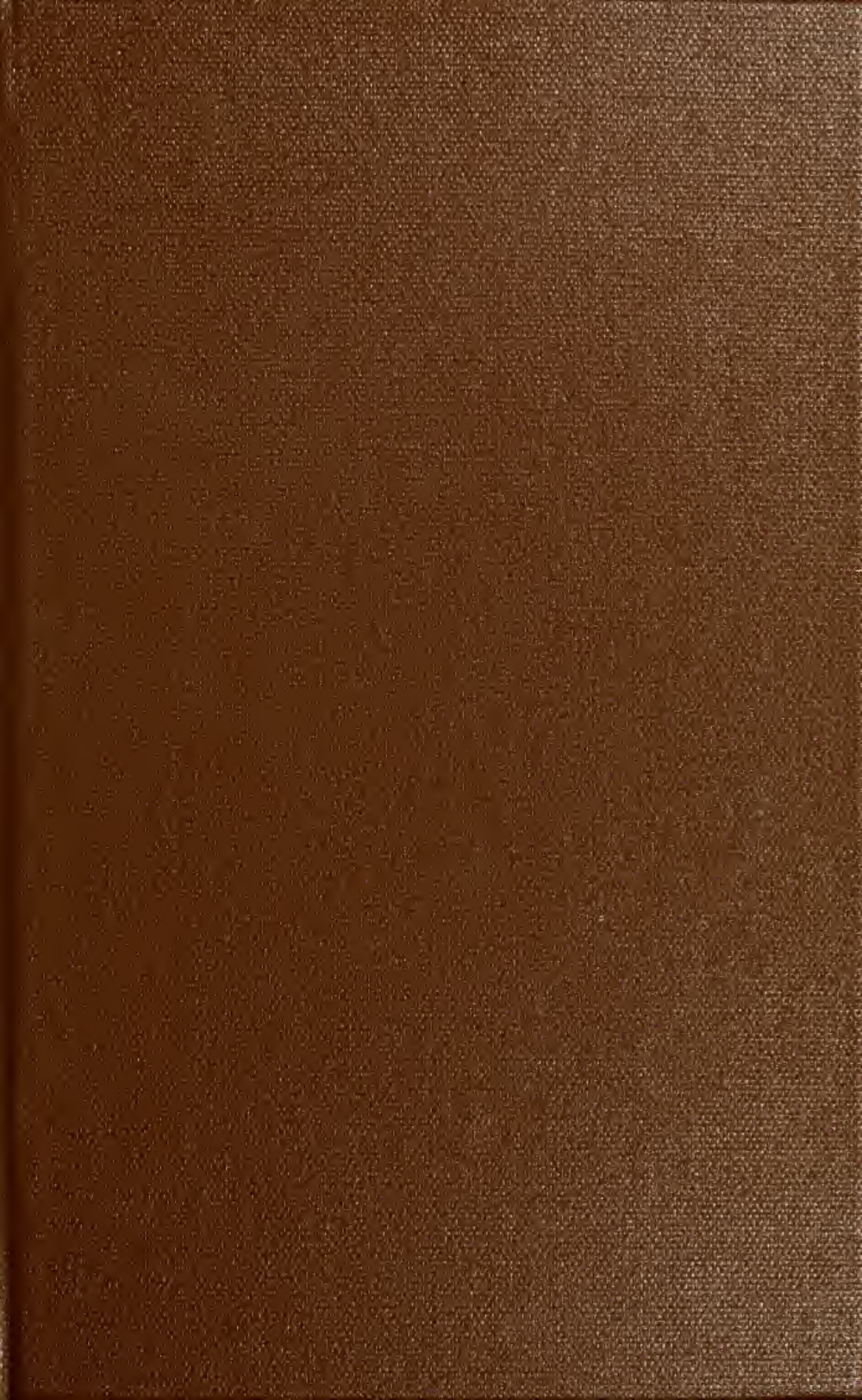








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THE
LAWS OF THE CUSTOMS,
WITH NOTES,
AND
A GENERAL INDEX.

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THE
LAWS OF THE CUSTOMS,

COMPILED

BY DIRECTION OF THE LORDS COMMISSIONERS OF
HER MAJESTYS TREASURY,

AND PUBLISHED UNDER THE SANCTION OF

THE

COMMISSIONERS OF HER MAJESTY'S CUSTOMS;

WITH

NOTES, AND A GENERAL INDEX.

EDITED BY J. G. WALFORD, ESQ.

SOLICITOR FOR THE CUSTOMS.

LONDON:

PRINTED BY GEORGE E. EYRE AND ANDREW SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY,

for Her Majesty's Stationery Office :

SOLD BY LONGMAN, BROWN, GREEN, AND LONGMANS,

PATERNOSTER ROW.

1846.

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INTRODUCTION.

THIS Publication, which has been prepared by the Direction of the Lords of the Treasury, has for its Object to comprise in One Volume, as well those Acts usually known by the Denomination of “ Customs Acts,” as certain others, the enforcing which is either in the whole or in part committed to the Officers of Customs, or which are necessary for their Guidance.

The Acts above described as Customs Acts have been reduced to their present Form in the following Manner :—

For some Time prior to the Year 1825 it had been under Consideration to consolidate the different Acts relating to the Management and Collection of the Revenue of Customs in the United Kingdom and the Colonies, and those relating to some other Subjects nearly connected with that primary one.

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These Subjects were the Prevention of Smuggling, the Law of Navigation, the registering of Vessels, the warehousing of Goods, the granting Bounties, and some Provisions relating to the Isle of Man.

The Necessity of such a Measure, and the Labour required to carry it into execution, may be judged of from the Fact, that an Abridgment of the Laws of the Customs had been published by Mr. Jickling which occupied 1,375 large Quarto Pages, and the Statutes which it was requisite to repeal, with a view to the Consolidation, amounted in Number to 443.

This Task was performed by the late Mr. Hume, at that time Comptroller of the Customs for the Port of London, with the Exception of the Part relating to the Prevention of Smuggling, which was confided to the late Mr. Thackeray, then Assistant Solicitor for the Customs.

The whole Matter was arranged by Mr. Hume under Ten Heads, the Regulations respecting each of which formed a separate Act.

The Acts thus prepared were introduced into Parliament under the Correction and Care of Mr. Herries, then one of the joint Secretaries of the Treasury. They received the Royal Assent in the Month of

July 1825, and, with such Amendments of them as have been made from Time to Time, have contained all the statutable Provisions in force upon the Subjects of their respective Titles. In the Interval between the Years 1825 and 1833 several Amendments of Mr. Hume's Acts were made, but his Arrangement was still observed, and each amending Clause was classed under such of the above Heads as it belonged to.

In the Session of 1833 these Amendments were consolidated with the existing Acts, the Bills by which that Measure was effected being introduced into Parliament under the Correction and Care of the late Lord Sydenham, at that Time President of the Board of Trade.

During the following Twelve Years other Amendments continued to be made from Time to Time, the most important of them being the substituting hard Labour as a Punishment for Smuggling, in certain Cases in lieu of Impressment into the Naval Service, in others in lieu of Penalty; the removing the Prohibition to export Machinery; and the remodelling the Duties.

As these Amendments could only be found by referring to the different Acts by which they were

made, it was considered to be expedient that a fresh Consolidation should take place.

To effect this a repealing Act has been passed by which the then existing Ten Acts and all Amendments of them were repealed, and Ten other Acts have been also passed founded upon Mr. Hume's Consolidation, adopting his Arrangement and embodying in their respective Places the different existing Provisions by which Alterations had been effected.

Hence the Ten Acts which are placed at the Commencement of this Compilation contain the present existing Law upon their several Subjects.

To these Acts there have been added, as an Appendix, some others, and Parts of others, either required for the Guidance of the Officers of Customs or in the Execution of which they are called upon to take part; the Object of doing so being to supply to the Officer and to the Public all necessary Information relating to the Laws of the Customs.

A Publication similar to the present, adapted to the then existing Acts, was edited in the Year 1836 by the late Mr. Hume; but as one applicable to

the recent Consolidation had become necessary, Directions were given to the Editor of this Volume to prepare it for the Press.

The Notes upon the different Sections, the chief Object of which is to point out where the Subject of the Enactment occurs in other Places, are principally those of Mr. Hume, with such Alterations as were required.

The general Index also is taken from that of Mr. Hume, with some Alterations and Additions.

J. G. WALFORD.

21st January 1846.



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[4th July 1836.] 666

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[31st July 1838.] 666

8 & 9 Vict. Cap. 65.

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[6th April 1841.] 672

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[10th June 1825.] 674

Part of 7 Vict. Cap. 21.

An Act to reduce the Stamp Duties on Policies of Sea Insurance and on certain other Instruments, and to repeal the Duties on certain Bonds, and the Law requiring Public Notaries in *Ireland* to deliver Accounts of Bills and Notes noted by them.

[6th June 1844.] 677

8 Vict. Cap. 5.

An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom.

[24th April 1845.] 678

Part of 6 & 7 Gul. 4. Cap. 26.

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59 Geo. 3. Cap. 54.

- An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of *America*, and a Treaty with the Prince Regent of *Portugal*. [2d *July* 1819.] 689

7 Geo. 4. Cap. 5.

- An Act to give effect to Treaties of Commerce with Countries in *America* not at present provided with National Merchant Shipping. [22d *March* 1826.] 694

Part of 3 & 4 Vict. Cap. 95.

- An Act to enable Her Majesty to carry into effect certain Stipulations contained in a Treaty of Commerce and Navigation between Her Majesty and the Emperor of *Austria*; and to empower Her Majesty to declare, by Order in Council, that Ports which are the most natural and convenient Shipping Ports of States within whose Dominions they are not situated may in certain Cases be considered, for all Purposes of Trade with Her Majesty's Dominions, as the National Ports of such States. [10th *August* 1840.] 695

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ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXIV.

An Act to repeal the several Laws relating to the
Customs. [4th August 1845.]

WHEREAS several Acts were passed in a Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, for consolidating the Laws relating to the Customs and to Navigation: And whereas since the passing of those Acts divers Acts for the Amendment of them have been found necessary: And whereas it is expedient again to consolidate the said Laws, and therefore that all the said Acts should be repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Effect for all the Purposes therein mentioned.

Commence-
ment of Act.

II. And be it enacted, That the several Acts herein-after mentioned shall be repealed; (that is to say,) an Act passed in the First Year of King *William* the Fourth, intituled *An Act to subject to Duties of Customs Goods the Property of the Crown, in case of Sale after Importation*; also an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for the Management of the Customs*; also an Act passed in the same Session of Parliament, intituled *An Act for the general Regulation of the Customs*; also an Act passed in the same Session of Parliament, intituled *An Act for the Prevention of*

The following
Acts repealed:

11 G. 4. &
1 W. 4. c. 45.

3 & 4 W. 4. c. 51.

3 & 4 W. 4. c. 52.

3 & 4 W. 4. c. 53.

- Smuggling*; also an Act passed in the same Session of Parliament, intituled *An Act for the Encouragement of British Shipping and Navigation*; also an Act passed in the same Session of Parliament, intituled *An Act for the registering of British Vessels*; also an Act passed in the same Session of Parliament, intituled *An Act for granting Duties of Customs*; also an Act passed in the same Session of Parliament, intituled *An Act for the warehousing of Goods*; also an Act passed in the same Session of Parliament, intituled *An Act to grant certain Bounties and Allowances of Customs*; also an Act passed in the same Session of Parliament, intituled *An Act to regulate the Trade of the British Possessions abroad*; also an Act passed in the same Session of Parliament, intituled *An Act for regulating the Trade of the Isle of Man*; also an Act passed in the same Session of Parliament, intituled *An Act to admit Sugar without Payment of Duty to be refined for Exportation*; also an Act passed in the Fourth Year of the Reign of King *William the Fourth*, intituled *An Act to repeal so much of an Act of the last Session of Parliament for the Prevention of Smuggling as authorizes Magistrates to sentence Persons convicted of certain Offences to serve His Majesty in His Naval Service; and to alter and amend the said Act*; also an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of King *William the Fourth*, intituled *An Act to amend the Laws relating to the Customs* (1), except so much thereof as relates to Steam Vessels carrying Passengers between *Great Britain and Ireland*; also an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of King *William the Fourth*, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Shipping of the United Kingdom*; also an Act passed in the same Session of Parliament, intituled *An Act to amend the Laws relating to the Customs*; also an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William the Fourth*, intituled *An Act to amend the Laws relating to the Customs*; also an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs*, except (2) so

(1) See 4 & 5 W. 4. c. 89. § 28. Appendix.

(2) See 1 & 2 Vict. c. 113. § 26. Appendix.

much thereof as relates to the Carriage of Passengers in Merchant Vessels; also an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs* (1), except so much thereof as relates to the Sale and the Assay of Foreign Gold and Silver Plate; also an Act passed in the same Session of Parliament, intituled *An Act to amend the Laws for the Regulation of the Trade of the British Possessions abroad*; also an Act passed in the same Session of Parliament, intituled *An Act for further amending the Laws relating to the Customs* (2), except so much thereof as relates to Gold and Silver Plate; also an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws of Customs*; also an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs*; also an Act passed in the same Session of Parliament, intituled *An Act to amend the Laws relating to the Customs in the Isle of Man*; also an Act passed in this present Session of Parliament, intituled *An Act to alter and amend certain Duties of Customs*; also another Act passed in this present Session of Parliament, intituled *An Act to make perpetual and amend an Act of the Fifth and Sixth Years of Her present Majesty, for preventing Ships clearing out from any Port in British North America or in the Settlement of Honduras from loading any Part of their Cargo of Timber upon Deck*; and the said several Acts before mentioned are hereby accordingly repealed, except so far as the said Acts or any of them repeal any former Act or Acts, or any Part of such Act or Acts, and except so far as relates to any Arrears of Duty, or to any Drawbacks which shall have become due and payable, or to any Penalty or Forfeiture which shall have been incurred under the said Act or Acts hereby repealed, or any of them, or to any Offence which shall have been committed contrary to such Act or Acts, or any of them.

III. And be it enacted and declared, That all Orders made by Her Majesty in Council, or under the Authority

All Orders in Council, Bonds,

(1) See 5 & 6 Vict. c. 47. §§ 59, 60. Appendix.

(2) See 5 & 6 Vict. c. 56. § 6. Appendix.

and Licences,
and all Acts
done under
repealed Acts,
to be valid,
notwithstand-
ing the Repeal.

of any of the Acts hereby repealed, or of any other Act relating to the Customs or to Trade or Navigation, and all Bonds taken or Licences granted under the Authority of any such Act or Acts, and all Acts whatsoever done under the Authority or in pursuance of any such Act or Acts, shall be valid and effectual, notwithstanding the Act or Acts under the Authority of which such Orders shall have been made, or such Bonds shall have been taken and Licences granted, and such Acts shall have been done, may be repealed.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXV.

An Act for the Management of the Customs.

[4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for the Management of the Customs* (1), whereby the Laws in relation to the Management of the Customs were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force for all the Purposes mentioned therein, except where any other Commencement is herein particularly directed.

Commence-
ment of Act.

II. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to appoint, under the Great Seal of the United Kingdom, any Number of Persons not exceeding Thirteen to be Commissioners of Her Majesty's Customs for the Collection and for the Management of the Customs in and throughout the whole of the United King-

Officers.

Board of Cus-
toms, Appoint-
ment of.

(1) For the Repeal of this Act, see Cap. 84.

Officers.

dom, and of any of Her Majesty's Possessions abroad; and that each of such Commissioners, when so appointed, shall have and hold his Office during Her Majesty's Pleasure.

Commissioners
subject to the
Control of the
Treasury.

III. And be it enacted, That the said Commissioners so appointed or to be appointed by Her Majesty shall, in all Matters and Things relating to the Execution of their Duties, be subject to the Authority, Directions, and Control of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, and shall obey such Orders and Instructions as shall from Time to Time be issued to them by the said Commissioners of Her Majesty's Treasury under the Hands of Three or more of them.

Orders to be
under the Hands
of the Commis-
sioners.

IV. And be it enacted, That every Order, Document, Instrument, or Writing, not being for the Payment of Money, required by any Law at any Time in force to be under the Hands or under the Hands and Seals of the Commissioners of Her Majesty's Customs, being attested by the Hands or the Hands and Seals of Two or more of such Commissioners, and every such Order for the Payment of Money being attested by the Signatures of Three or more of such Commissioners, shall be deemed to be an Order, Document, Instrument, or Writing under the Hands or under the Hands and Seals, as the Case may be, of the Commissioners of Her Majesty's Customs accordingly.

Previous Ap-
pointments to
remain in force.

V. And be it enacted, That any Appointment of Commissioners of Her Majesty's Customs in force at the Time of the Commencement of this Act shall continue in force as if the same had been afterwards made under and by virtue of the Authority of this Act.

Appointment
of necessary
Officers of Cus-
toms.

VI. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury, or for the Commissioners of Her Majesty's Customs under the Authority of the said Commissioners of Her Majesty's Treasury, to appoint proper Persons to execute the Duties of the several Offices necessary to the due Management and Collection of the Customs, and all Matters connected therewith, under the Control and Direction of the Commissioners of Her Majesty's Customs, and to grant or allow to such Persons such Salaries or other Allowances, or to permit such Emoluments, for the Labour and Responsibility in

Salaries and
Allowances,
and Securities.

executing the Duties of their respective Offices or Employments, and to require of such Persons such Securities for their good Conduct therein, as the said Commissioners of Her Majesty's Treasury shall deem to be reasonable and necessary; and such Persons shall hold their Offices during the Will and Pleasure of the said Commissioners of Her Majesty's Treasury, or of the Commissioners of Her Majesty's Customs, in such Cases and in such Manner as the said Commissioners of Her Majesty's Treasury shall direct.

Officers.
—

VII. And be it enacted, That every Person employed on any Duty or Service relating to the Customs by the Orders or with the Concurrence of the Commissioners of Her Majesty's Customs (whether previously or subsequently expressed) shall be deemed to be the Officer of the Customs for that Duty or Service; and that every Act, Matter, or Thing required by any Law at any Time in force to be done or performed by, to, or with any particular Officer nominated in such Law for such Purpose, being done or performed by, to, or with any Person appointed by the Commissioners of Her Majesty's Customs to act for or in behalf of such particular Officer, the same shall be deemed to be done or performed by, to, or with such particular Officer; and that every Act, Matter, or Thing required by any Law at any Time in force to be done or performed at any particular Place within any Port, being done or performed at any Place within such Port appointed by the Commissioners of Her Majesty's Customs for such Purpose, the same shall be deemed to be done or performed at the particular Place so required by Law. (1)

Persons employed by Customs deemed Officers for such Service.

Duties of Officers performed by Persons and at Places appointed by Commissioners.

VIII. And be it enacted, That if any Officer, Clerk, or other Person acting in any Office or Employment in or belonging to the Customs under the Control and Direction of the Commissioners of Her Majesty's Customs in any Part of Her Majesty's Dominions shall take or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any other Sort or Description whatever, directly or indirectly, from any Person (not being a Person duly appointed to some Office in the Customs), on account of any thing done or to be done by him in or in any way relating to his said Office or Employment, except such as he shall receive under any Order or Permission of the said

Officers taking any Fee or Reward not allowed shall be dismissed.

(1) See Cap. 86. §§ 59. 110. 125.

Officers.
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Commissioners of Her Majesty's Treasury, every such Officer so offending shall, on Proof thereof to the Commissioners of Her Majesty's Customs, be dismissed from his Office; and if any Person (not being a Person duly appointed to some Office in the Customs) shall give, offer, or promise to give any such Fee, Perquisite, Gratuity, or Reward, such Person shall for every such Offence forfeit the Sum of One hundred Pounds. (1)

Penalty for
offering Fee.

Previous Ap-
pointments and
Securities to
remain in force.

IX. And be it enacted, That all Commissions, Deputations, and Appointments granted to any Officers of the Customs in force at the Time of the Commencement of this Act shall continue in force as if the same had been afterwards granted under and by virtue of the Authority of this Act; and that all Bonds which shall have been given by any such Officers and their respective Sureties, for good Conduct or otherwise, shall remain in full Force and Effect.

Declaration on
Admission to
Office.

X. And be it enacted, That every Person who shall be appointed to any Office or Employment in the Service of the Customs under the Control and Direction of the Commissioners of Her Majesty's Customs in any Part of Her Majesty's Dominions shall, at their respective Admissions thereto, make the following Declaration; (that is to say,)

‘ I *A.B.* do declare, That I will be true and faithful in
‘ the Execution, to the best of my Knowledge and
‘ Power, of the Trust committed to my Charge and
‘ Inspection in the Service of Her Majesty's Customs;
‘ and that I will not require, take, or receive any
‘ Fee, Perquisite, Gratuity, or Reward, whether pecu-
‘ niary or of any Sort or Description whatever, either
‘ directly or indirectly, for any Service, Act, Duty,
‘ Matter, or Thing done or performed or to be done or
‘ performed in the Execution or Discharge of any of the
‘ Duties of my Office or Employment, on any Account
‘ whatever, other than my Salary, and what is or shall be
‘ allowed me by Law, or by any special Order of the
‘ Commissioners of Her Majesty's Treasury or the Com-
‘ missioners of Her Majesty's Customs for the Time
‘ being.’

(1) See also Cap. 87. § 35.

XI. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury by their Warrant from Time to Time to appoint the Hours of general Attendance of the Commissioners and respective Officers of the Customs, and other Persons in the Service of the Customs, at their proper Offices and Places of Employment; and that it shall be lawful for the Commissioners of Her Majesty's Customs to appoint the Times during such Hours at which any particular Parts of the Duties of such Officers and other Persons respectively shall be performed by them.

Officers.

Hours of Attendance and Division of Service in those Hours.

XII. And be it enacted, That no Commissioner of Her Majesty's Customs, nor any Officer of Customs, or Person employed in the Collection or Management of or accounting for the Revenue of Customs, or any Part thereof, nor any Clerk or other Person acting under them, shall, during the Time of his acting as such Commissioner or as such Officer, or of his being so employed as aforesaid, or of his acting as such Clerk or other Person as aforesaid, as the Case may be, be compelled to serve as a Mayor or Sheriff, or in any corporate or parochial or other public Office or Employment, or to serve on any Jury or Inquest, or in the Militia, any Law, Usage, or Custom to the contrary thereof notwithstanding.

Officers of Customs not liable to serve parochial and other local Offices.

XIII. And be it enacted, That no Day shall be kept as a public Holiday by the Customs except *Christmas Day* and *Good Friday* in every Year, and any Days appointed by Her Majesty's Proclamation for the Purpose of a General Fast or of a General Thanksgiving, and also, so far as regards *Scotland*, any Days appointed for such Purposes by Authority of the General Assembly, and also such Days as shall have been appointed for the Celebration of the Birthdays of Her Majesty and of Her Successors, and that such Days shall be kept as public Holidays by the Officers and Servants of the Dock Companies in the United Kingdom.

Holidays.

XIV. And be it enacted, That the Collector of the Customs in the Port of *London* shall pay into the Hands of the Receiver General of the Customs the whole of the Monies which he shall receive on account of the Duties of Customs on the Day on which he shall receive the same, or as near the whole as may be, save and except such

Collector in London to pay Duties daily to Receiver General.

Officers.
—

Sum or Sums of Money as shall from Time to Time, by virtue of the special Order of the Commissioners of Her Majesty's Customs, be directed to be deducted, paid, or allowed therefrom.

In London
Debentures and
Orders to be
paid by Re-
ceiver General.

XV. And be it enacted, That every Sum of Money which shall be due in the Port of *London* upon any Debenture, Certificate, or other Instrument or Document whatever for the Payment of any Money out of the Duties of Customs shall be paid by the Receiver General of the Customs out of any Money in his Hands arising from the Duties of Customs, and every such Payment shall be allowed by the Commissioners for the better examining and auditing the Public Accounts of this Kingdom in the settling or auditing of the Accounts of the Receiver General of the Customs (1); and when any such Payment shall become due at any other Port in the United Kingdom, the same may be paid by the Collector at such Port, the Comptroller being duly apprized thereof, out of any of the Money in his Hands arising from the Duties of Customs, and under such Directions and Instructions for the due Execution of their Offices as shall from Time to Time be given to them by the Commissioners of Her Majesty's Customs.

Payments at
Outports by
Collector.

Commissioners
of Customs may
close Accounts
of Collectors.

XVI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs finally to settle and close the Accounts of any Collectors or Receivers of any Part of the Revenue of the Customs or other Duties under their Management, notwithstanding any erroneous Appropriation of any Duties of Customs received by such Collectors or Receivers; and the said Commissioners are hereby empowered to correct such Appropriation, in order to prevent the Accounts of any such Collectors or Receivers from being kept open; and all such Corrections shall be allowed by the Commissioners for auditing the Public Accounts in the passing the general Accounts of Customs, Subsidies, or Impositions.

Salaries not
subject to
Duties.

XVII. And be it enacted, That all Salaries, Allowances, or Compensations granted or allowed to any Officer, Clerk, or other Person in the Service of the Customs shall be paid without any Abatement or Deduction on account of

(1) As to Audit in Scotland, see 2 & 3 W. 4. c. 103. Appendix.

any Duties imposed by any Act of Parliament, unless expressly charged thereon, save and except all Duties imposed by any Act for granting Duties on Profits arising from Property, Professions, Trades, and Offices.

Officers.
—

XVIII. And whereas it is expedient that Regulations should be established by Law in the Office of the Receiver General of the Customs in *England* for depositing in the Bank of *England* all the Monies, Bills, Drafts, and Notes received by such Receiver General on account of the Revenue under the Management of the Commissioners of Her Majesty's Customs, except as herein-after mentioned, until the same shall be paid into the Exchequer; be it therefore enacted, That all Monies, Bills, Notes, and Drafts received by or coming to the Hands of the Receiver General of the Customs in *England* on account of the Revenue of Customs in *Great Britain* shall be paid by him into the Hands of the Governor and Company of the Bank of *England*; (that is to say,) such Monies and Notes, and such of the Bills and Drafts as shall be already accepted, or shall not require Acceptance, having been first duly endorsed, shall be paid as aforesaid on the Day on which the same shall have been received, and such of the Bills and Drafts as shall require Acceptance, and not be already accepted when received, (the same having been first duly endorsed where necessary,) within Three Days after the same shall have been accepted, for which Monies, Bills, Notes, and Drafts the Entry in the Book herein-after mentioned shall be a sufficient Discharge; and all such Monies, Bills, Notes, and Drafts so to be paid to the Governor and Company of the Bank of *England* shall be placed to an Account to be raised in the Books of the said Governor and Company, and to be intituled "The Account of the Public Monies of the Receiver General of Customs," inserting the Name of such Receiver General for the Time being.

*Receiver
General.*
—

All Monies received by Receiver General of Customs in *England* shall be paid into the Bank of *England*.

XIX. Provided nevertheless, and be it enacted, That it shall be lawful for such Receiver General to retain and keep in his own Hands, for the Payment of casual and ordinary and daily Demands out of the Monies so received by him as such Receiver General, a Sum not exceeding One thousand Pounds at the Close of each Day, and also any further Sum which he shall be directed to retain by the said Commissioners, not exceeding Four thousand

Money for ordinary Payments may be retained.

*Receiver
General.*
—

Pounds, and also any further Sum, with the Permission in Writing of any Three or more of the said Commissioners of Her Majesty's Treasury.

Bank to keep
an Account to
be returned to
the Customs for
Inspection.

XX. And be it enacted, That the Governor and Company of the Bank of *England*, or some Person duly authorized in that Behalf, shall daily, upon receiving any Money, Bills, Notes, or Drafts from such Receiver General of the Customs, make an Entry of the Money, Bills, Notes, and Drafts so received, in a Book to be provided by the Governor and Company of the Bank of *England*, which Book shall be forthwith re-delivered to the Persons making the Payments for the Customs, and inspected daily after its Return by the Comptroller General of the Customs or his Clerk, (such Clerk being first duly authorized by him, and for whose Conduct he shall be answerable,) who shall compare the same with the Account of Monies, Bills, Notes, and Drafts received by the said Receiver General, for the Purpose of ascertaining that the Receiver General constantly pays into the Bank all the Money, Bills, Notes, and Drafts which he ought to do under the Provisions of this Act; and any Default which such Comptroller General or his Clerk may discover in that Behalf shall be immediately reported by him to the said Commissioners of Her Majesty's Customs, who shall report the same, unless it shall appear to them to have happened by Mistake or Inadvertence, to the said Commissioners of Her Majesty's Treasury.

Money carried
to the Exche-
quer to be
written off at
the Bank.

XXI. And be it enacted, That the Monies placed to the Account of the Receiver General as aforesaid in the Bank of *England* shall be paid into the Exchequer from Time to Time as by Law is directed, in manner following; that is to say, the Receiver General, or his Clerk duly authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, shall make an Order weekly upon the Governor and Company of the Bank of *England*, which Order shall be countersigned by the Comptroller General or his Clerk, to write off from his Account the Sum specified; and the said Governor and Company, or some Person duly authorized on their Behalf, shall thereupon write off such Sum, and deliver a Note, drawn and cancelled in such Manner as shall be approved by the said Commissioners of Her Majesty's Treasury, for the Amount, to the Receiver General or his Clerk, who shall pay the same into the Exchequer, and the Bank

Clerks attending there shall receive it as so much Cash; and it shall not be lawful for the Governor and Company of the Bank of *England* to pay or transfer any Part of the Money so paid in and placed to the Account of such Receiver General from such Account, otherwise than into the Exchequer in manner aforesaid, and except in the Manner herein-after directed, or to deliver any Note or Notes, Bill or Bills of Exchange, save and except to the Solicitor of the Customs or his Clerk, upon his Application for the same, together with the Receiver General or his Clerk, and the Comptroller General or his Clerk, for the sole Purpose of taking out an Extent for the Security of the Money for which such Bill of Exchange or Draft shall have been given, or to the said Receiver General or his Clerk, any Bills, Notes, or Drafts which may be protested for Nonpayment, except as herein-after is mentioned, in which Case the Commissioners of Her Majesty's Customs shall be immediately acquainted therewith, if sitting, by such Solicitor, Receiver General, or Comptroller General, or, if not sitting, at the Time of their assembling; and such Delivery shall be entered by the Bank in the Book to be kept as herein directed.

Receiver
General.

XXII. And be it enacted, That in order that the several Payments directed by Order of the Commissioners of Her Majesty's Customs to be made by the said Receiver General to Merchants or any other Persons on account of Drawbacks or Bounties, or on any other Account whatever, may be made without Delay, and for the Payment of which the Money then in the Hands of the said Receiver General shall be insufficient, it shall be lawful for the said Receiver General, or his Clerk deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, to draw out of the Bank of *England*, as Occasion may require, such Sum or Sums of Money as may be sufficient to answer the Purpose aforesaid; and that every Draft or Order on the Bank for Money for any of the said Purposes shall be countersigned by the Comptroller General, or his Clerk to be deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable; and that the said Receiver General shall from Time to Time account for the Monies so to be drawn by him or his Clerk out of the Bank.

Receiver
General may
draw on the
Bank to pay
Drawbacks, &c.

Drafts to be
countersigned
by Comptroller
General.

XXIII. And in order that separate Accounts may be kept at the Exchequer of the Monies paid in on various

Officers of the
Exchequer to

*Receiver
General.*

be furnished
with Appro-
priation Papers.

Branches of the Customs pursuant to Law, be it enacted, That the said Receiver General of the Customs shall, on every *Monday* Morning, furnish the proper Officers of the Exchequer with an Appropriation Paper, stating the Heads under which the Receipts of the preceding Week are to be applied.

On the Death
or Removal of
Receiver
General, the
Balance to vest
in his Successor.

XXIV. And be it enacted, That upon the Death, Resignation, or Removal of the present and of every other Receiver General of the Customs hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit on his Account as such Receiver General with the Governor and Company of the Bank of *England* shall, as soon as a Successor shall be appointed to the said Office, actually vest in such Successor, and until such Successor shall be appointed in such Person or Persons as shall for the Time being be duly authorized to execute the Duties of the said Office, in trust for the Service of the Public, and be forthwith transferred, carried over, and placed to the Account of such Successor or other Person or Persons as aforesaid, to be applied to the said Service in pursuance of the like Drafts and Orders as aforesaid. (1)

Receiver
General to
keep Account.

XXV. And be it enacted, That the Receiver General of the Customs for the Time being shall keep the Account with the Bank of all Monies issued by and paid to the Bank on his Account for the Service of the Public; and the said Receiver General, observing the Rules and Regulations hereby prescribed, shall not be answerable for any Money, Bills, Notes, and Drafts which he shall have so paid or caused to be paid into the Bank of *England*; and the Governor and Company of the Bank of *England* shall be answerable for all the Monies, Bills, Notes, and Drafts which shall be actually received by them from and on account of such Receiver General as aforesaid, except such Bills as may have been returned in manner aforesaid.

Punishment for
Forgery on Re-
ceiver General,
Transportation
for Life.

XXVI. And be it enacted, That if any Person or Persons shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Comptroller General of the

Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England* on account of the Receiver General of the Customs, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument, or Writing in Form of a Draft, made by such Receiver General or Person as aforesaid, or shall utter or publish any such, knowing the same to be forged or counterfeited, with an Intention to defraud any Person whomsoever, every such Person or Persons so offending, being thereof lawfully convicted, shall be and is and are hereby declared and adjudged to be guilty of Felony, and shall be transported beyond the Seas for Life.

*Receiver
General.*

XXVII. And be it enacted, That in all Cases wherein Proof on Oath shall be required by any Law, or for the Satisfaction or Consideration of the Commissioners of Her Majesty's Customs, in any Matter relating to any Business under their Management, the same may be made before the Collector or Comptroller of the Customs at the Port where such Proof shall be required to be made, or before the Persons acting for them respectively, and who are hereby authorized and empowered to administer the same.

Oaths.

Collectors, &c.
authorized to
administer
Oaths.

XXVIII. And be it enacted, That upon Examinations and Inquiries made by any Commissioners of Her Majesty's Customs, or any One or more of them for the Time being, or by any Surveyor General of the Customs, or any Inspector General of the Customs, for ascertaining the Truth of Facts relative to the Customs, or the Conduct of Officers or Persons employed therein, and upon the like Examinations and Inquiries made by the Collector and Comptroller of any Outport in the United Kingdom, or of any Port in the *Isle of Man*, or made by any Person or Persons in any of the *British Possessions* abroad, appointed by the Commissioners of Her Majesty's Customs to make such Examinations and Inquiries, any Person examined before him or them as a Witness shall deliver his Testimony on Oath, to be administered by such of the said Commissioners, Surveyors General, or such of the Inspectors General, or such Collector or

Commissioners
of Her Majesty's
Customs, Sur-
veyors General,
&c. may exa-
mine Witnesses
on Oath.

Oaths.

False Oath
deemed Per-
jury.

Comptroller, or such Person or Persons as shall examine any such Witness, and who are hereby authorized to administer such Oath; and if any Person shall be convicted of making a false Oath touching any of the Facts so testified on Oath, or of giving false Evidence on his Examination on Oath before any One or more of the said Commissioners, or any of the Surveyors General or Inspectors General of the Customs, or such Collector and Comptroller, or such Person or Persons, in conformity to the Directions of this Act, every such Person so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

*Lands and
Buildings.*

Lands and
Buildings
already taken
for the Service
of Her Majesty's
Customs to be
vested in the
Secretary of the
Customs for the
Time being;

XXIX. And be it enacted, That all Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments which have heretofore been purchased, acquired, or taken for the Use and Service of Her Majesty's Customs, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, (other than and except such Messuages, Lands, Tenements, and Hereditaments as may be of Copyhold Tenure,) shall be and become and remain and continue vested in the Secretary for the Time being to the Commissioners of Her Majesty's Customs, and his respective Successors as Secretaries in such Service, according to the respective Nature and Quality of the said Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of Her Majesty's Customs in the said United Kingdom.

and also all
Lands, &c. to
be hereafter
purchased for
the Use of the
Customs.

XXX. And be it enacted, That all other Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments (other than and except as aforesaid) which shall at any Time or Times hereafter be purchased for the Use and Service of Her Majesty's Customs, with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, shall in like Manner be and become and remain and continue vested in the Secretary for the Time being to the said Commissioners, and his Successors as Secretaries in such Service, according to the respective Nature and Quality of the said Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments, and the

several Estates and Interests of and in the same respectively, in trust as aforesaid.

*Lands and
Buildings.*

XXXI. And be it enacted, That it shall and may be lawful for the said Secretary for the Time being, by and under the Authority and Direction of the said Commissioners (testified by Writing under their Hands and Seals), to sell, exchange, or in any Manner dispose of, or to let, set, or demise, as well any of the Freehold and Leasehold Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments respectively which shall for the Time being be vested in them respectively under and by virtue of this present Act, with their respective Appurtenances, as also any of the Copyhold Messuages, Buildings, Lands, Tenements, and Hereditaments which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in trust for Her said Majesty, or any of Her Predecessors, his, her, or their Heirs or Successors, for the Use and Service of Her Majesty's Customs in the said United Kingdom, or any of them, either by public Auction or private Contract; and as to the said Freehold and Leasehold Manors, Messuages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Secretary for the Time being, and as to the said Copyhold Messuages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Person or Persons in whom the same shall be vested as aforesaid, in due Form of Law, to convey, surrender, assign, make over, or to grant or demise the same respectively, or any of them, as the Case may require, to any Person or Persons who shall be willing to purchase or take the same respectively, and also to carry into execution any Contract or Contracts already entered into for the Sale of any such Freehold, Copyhold, or Leasehold Messuages, Lands, Tenements, or Hereditaments as aforesaid, with such Alterations or Variations as the said Commissioners for the Time being, or any Two or more of them, shall by Writing under their Hands direct, and for that Purpose to make and execute all such Conveyances, Assurances, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to any such Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments which shall by the said Commissioners be deemed beneficial for the Public Service in relation thereto, or for the better Management

Secretary, under
Authority of
Commissioners,
may sell or let
Lands vested
in them.

*Lands and
Buildings.*

thereof, and which might be done by any Person or Persons having a like Interest in any such Manors, Messuages, Lands, Tenements, or Hereditaments.

Monies produced by Sale of such Lands to be paid to the Receiver General.

XXXII. And be it enacted, That the Monies to arise and be produced by Sales or Exchange of any of the said Manors, Messuages, Lands, Tenements, or Hereditaments which shall be sold or exchanged or conveyed under the Provisions of this present Act, including the Monies already paid by way of Deposit for the Purchase of any Hereditaments already contracted to be sold, and the Residue of the Monies to be received in respect or on account of such Contract, shall be paid by the respective Purchaser or Purchasers thereof, or the Person or Persons making such Exchange, under the Receiver General of Her Majesty's Customs for the Time being, or to such Person or Persons as the said Commissioners for the Time being, or any Four or more of them, shall direct or appoint to receive the same, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of the said Customs; and that the Receipt of the said Receiver General, or such other Person or Persons as aforesaid, for such Monies (such Receipt to be endorsed on every such Conveyance, Surrender, or Assignment as aforesaid), shall effectually discharge the Purchaser or Purchasers or Person or Persons by whom or on whose Account the same shall be so paid.

After Payment, Purchasers to stand possessed of the Lands, &c.

XXXIII. And be it enacted, That immediately from and after the Payment of such Purchase Money, and the Execution of every such Conveyance, Surrender, and Assignment as aforesaid, the Purchaser or Purchasers therein named shall be deemed and adjudged to stand seised and possessed of the Manors, Messuages, Lands, Tenements, and Hereditaments which shall be so purchased by, and conveyed, surrendered, assigned, or made over to him, her, or them respectively, freed and absolutely discharged of and from all and all Manner of prior Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in, to, out of, or upon or in respect of the same Manors, Messuages, Lands, Tenements, and Hereditaments by any Person or Persons whomsoever, by, from, or under, or in trust for Her Majesty, Her Heirs and Successors, on any account whatsoever, save and except such Estates,

Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands, if any, as in any such Conveyance, Surrender, or Assignment shall be excepted.

*Lands and
Buildings.*

XXXIV. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, from Time to Time, by any Writing under their Hands, to authorize any Person or Persons to survey and mark out any Lands, not exceeding One Half Acre at any one Station, which are or may be wanted for the Purposes of erecting and maintaining Watch-houses, Dwelling Houses, and other Buildings requisite and necessary for the Security and Protection of the Revenues of Customs and Excise, with all necessary Ways unto and from the same or any or either of them, such Lands being situated within Half a Mile of the Sea Shore or of the Tideway of any navigable River, and to authorize any Person or Persons, by Warrant as aforesaid, to treat and agree with the Owner or Owners of or any Person or Persons interested in any such Lands, or any Messuages, Tenements, Hereditaments, or Premises which may be requisite and necessary as aforesaid, for the Possession thereof for such Time or Term of Years as the Public Service shall require.

Treasury may authorize Persons to survey and mark out Lands for Watch-houses, &c.

XXXV. And be it enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, and all Feoffees or Trustees for charitable or other public Purposes, and for all Tenants for Life and Tenants in Tail, and for the Husbands, Guardians, Trustees, Committees, Curators, or Attornies of such of the Owners or Proprietors of or Persons interested in any such Lands, Messuages, Tenements, Hereditaments, or Premises required for such Public Service as shall be Femes Covert, Infants, Lunatics, Idiots, or Persons beyond the Seas or otherwise incapable of acting for themselves, to contract and agree with such Person or Persons authorized as aforesaid for the Grant of any Lease of such Lands, Messuages, Tenements, Hereditaments, or Premises, either for any Term of Years certain therein, or for such Periods as the Public Service shall require, and to demise or grant the same unto the said Commissioners of Her Majesty's Treasury, in trust for Her Majesty, Her Heirs and Successors, accordingly; and all such Leases and Agreements shall be valid and effectual in Law to all Intents and Purposes whatsoever,

Bodies Politic, &c. may contract for the Sale.

*Lands and
Buildings.*

Persons re-
fusing to sell
or to accept the
Consideration
offered, Two
Justices may
put Her Ma-
jesty's Officers
into possession,
and a Jury shall
be summoned,
who shall find
the Compensa-
tion to be
made.

XXXVI. And be it enacted, That in case any such Bodies or other Persons hereby authorized to contract on behalf of themselves or others as aforesaid, or any other Person or Persons interested in any such Lands so marked out, or in any Messuages, Tenements, Hereditaments, or Premises required as aforesaid, shall, for the Space of Fourteen Days next after Notice in Writing, subscribed by such Person or Persons authorized as aforesaid, shall have been given to the principal Officer or Officers of any such Body, or to such other Persons hereby authorized to contract on behalf of others, or interested themselves as aforesaid, or left at his, her, or their usual Place of Abode, refuse or decline to treat or agree, or by reason of Absence shall be prevented from treating or agreeing, with such Person or Persons authorized as aforesaid, or shall refuse to accept such annual Rent or Sum as shall be offered for the Hire thereof, either for a Time certain or for such Period as the Public Service may require; and in case also it shall not be practicable to procure by voluntary Bargain or Sale any other Land situate as aforesaid, or any Messuages, Tenements, Hereditaments, or Premises required as aforesaid, and suited to the Purpose for which such Lands, Messuages, Tenements, Hereditaments, or Premises are required, then and in such Case it shall be lawful for Two or more Justices, or Three or more Deputy Lieutenants (One of whom shall be a Justice of the Peace), or Two or more Deputy Governors, for the County, Riding, Stewartry, City, or Place wherein such Lands, Tenements, Hereditaments, Messuages, or Premises shall be, to put Her Majesty's Officers in possession of such Lands, Messuages, Tenements, Hereditaments, or Premises, and for that Purpose to issue a Warrant under their Hands and Seals requiring Possession to be delivered to such of Her Majesty's Officers as shall be named in the said Warrant; and it shall also be lawful for such Person or Persons so authorized as aforesaid to require the said Justices, Deputy Lieutenants, or Deputy Governors of such County, Riding, Stewartry, City, Liberty, or Place to issue their Warrant to the Sheriff or Sheriffs of the County, Riding, Stewartry, City, or Place wherein such Lands, Messuages, Tenements, Hereditaments, or Premises shall be situate, to summon a Jury; and every such Sheriff or Sheriffs is and are hereby authorized and required to summon and return a Jury, properly qualified, of the Number of Twenty-four, and in the Manner required by

the Laws of *England, Ireland, and Scotland* respectively, who shall meet at some convenient Time and Place to be mentioned in such Summons, out of whom a Jury of Twelve shall be drawn in such Manner as Juries for the Trial of Issues joined in Her Majesty's Courts at *Westminster* and *Dublin* are drawn by Law in *England* or *Ireland* respectively, and in such Manner as Juries are drawn by Law for the Trial of Offences in *Scotland*, and in case a sufficient Number shall not appear the Sheriff or Sheriffs shall choose others of the By-standers, or that can speedily be procured, being qualified as aforesaid; and the said Jurymen may be challenged by the Parties on either Side, but not the Array; and the said Justices, Deputy Lieutenants, or Deputy Governors respectively, on the Application of the said Persons so authorized or of any Parties concerned, may and shall summon Witnesses, and adjourn any such Meeting, if Jurymen or Witnesses do not attend; and the Jury, on hearing any Witnesses and Evidence that may be produced, shall on their Oaths (which Oaths, as also the Oaths of such Witnesses, the said Justices, Deputy Lieutenants, or Deputy Governors respectively are hereby empowered and required to administer,) find the Compensation to be paid for the Possession or Use of such Lands, as the Case may be.

*Lands and
Buildings.*

XXXVII. Provided always, and be it enacted, That if the Owner or Owners of any Lands, Messuages, Tenements, Hereditaments, or Premises so required, or any Person or Persons interested therein, shall at any Time before the summoning of such Jury as aforesaid give Notice in Writing of any other Lands situate as aforesaid, and of any other Messuages, Tenements, Hereditaments, or Premises so required as aforesaid, and suited to the Purpose for which such Lands are required, and which the Owner or Owners thereof or Persons interested therein are willing to treat and agree for, then and in such Case the Jury so to be summoned shall previously find the Facts, whether the Lands so indicated in such Notice are situate within the Distance aforesaid, and are suited to the Purpose for which such Lands, Tenements, Hereditaments, Messuages, or Premises may be required, and whether the Owner or Owners thereof or Persons interested therein are willing to treat and agree for the same; and if they shall so find, the Owner or Owners of or Persons interested in the Lands so surveyed or marked out as aforesaid, or of

Lands that are
suitable may be
taken in lieu of
such as have
been marked
out.

*Lands and
Buildings.*

the Messuages, Tenements, Hereditaments, or Premises so required, shall not be compellable by virtue of this Act to sell or dispose of the same: Provided also, that where the Owner or Owners of or Persons interested in any Lands Messuages, Tenements, Hereditaments, or Premises required by virtue of this Act to be given up for the Purposes aforesaid shall prefer to sell the same outright, and shall be able to make a good Title to the Fee Simple thereof, it shall be lawful for them to insist on so doing; and in such Case the Jury so summoned as aforesaid shall find the Value of the Fee Simple of such Lands, Tenements, Messuages, Hereditaments, or Premises, and the same shall be paid to the Owner or Owners thereof or Persons interested therein in the Manner directed by this Act.

If any Person be dissatisfied with Verdict, Appeal may be made to the Court of Exchequer in England or Ireland, or to the Court of Session, &c. in Scotland.

XXXVIII. Provided also, and be it enacted, That if the said Commissioners of Her Majesty's Treasury, or any Person interested therein, shall be dissatisfied with the Verdict of any such Jury, it shall be lawful for them or their Attornies in *England* and *Ireland* to apply to the Court of Exchequer at *Westminster* or *Dublin* respectively in the next Term, and in *Scotland* to apply within Fourteen Days after the finding any such Verdict to the Court of Session in *Scotland* in Time of Session, or Lord Ordinary on the Bills in Time of Vacation, to suggest to the said Courts or Lord Ordinary respectively that they have reason to be dissatisfied with such Verdict, and forthwith to give Notice thereof to the said Commissioners or Party (as the Case may be); and thereupon in *England* and *Ireland* the Proceedings that shall have been had, and the Verdict of such Jury, shall be returned into the said Courts of Exchequer respectively; and if it shall appear to the said Courts to be proper, a Suggestion shall be entered on such Proceedings as aforesaid, and a Writ shall thereupon, by Rule of such Court, or Order of any Judge of such Court, be directed to the Sheriff of such County where the Lands shall lie, or the Messuages, Tenements, Hereditaments, or Premises shall be, or, if the same shall lie or be in Two Counties, to the Sheriff of either of such Counties, to summon either a Common or Special Jury, according to the Application that shall have been made on that Behalf, and as the Court or such Judge shall allow, and who shall respectively be qualified according to Law, to appear before the said Justice of Assize or Nisi Prius of

that County at the next Assizes or Sittings of Nisi Prius if the same shall not happen sooner than Twenty-one Days after such Suggestion, otherwise at the next succeeding Assizes or Sittings; and the Compensation to be paid for the Possession or Use of such Lands, Messuages, Tenements, Hereditaments, or Premises shall at such Assizes or Sittings be ascertained by such Jury in like Manner as any Damages may be inquired of upon any Inquisition or Inquiry of Damages by any Jury before any Judge of Assize or Nisi Prius; and the Verdict of such Jury shall be returned to the said Courts of Exchequer, and shall be final and conclusive; and in *Scotland*, if it shall appear proper to the said Court of Session or Lord Ordinary, upon such Application so to do, the said Court or Lord Ordinary shall order and direct the Sheriff of the County where such Lands, Messuages, Tenements, Hereditaments, or Premises shall lie and be, or, if the same shall lie or be in Two Counties, the Sheriff of either of such Counties, to summon another Jury in the Manner in which Juries are summoned in *Scotland*, properly qualified according to Law, to appear before the Lords or Lord of Justiciary at the next Circuit if the same shall not happen sooner than Twenty-one Days after such Application, otherwise the next succeeding Circuit; and the Compensation as aforesaid for the Land, Messuages, Tenements, Hereditaments, and Premises shall at such Circuit be ascertained by a Jury drawn from a Jury summoned as aforesaid in such Manner as Juries are drawn in *Scotland* under the Direction of the said Lords or Lord of Justiciary as aforesaid; and the Verdict of such last-mentioned Juries shall be final and conclusive, without being subject to Review or Challenge of any Kind, unless the Court that shall have allowed such Inquiry shall think fit, on any Application made within Four Days after the Commencement of the succeeding Term, or Session if in *Scotland*, to order any new Trial in relation thereto.

XXXIX. Provided always, and be it enacted, That it shall be lawful for any Jury impannelled before any Justice of the Peace, Magistrate, Deputy Lieutenant, or Deputy Governor, or before any Judge of Assize or Nisi Prius, to ascertain the Compensation to be paid for any Lands under this Act, and they are hereby required to ascertain and settle the Proportion to be paid out of such Compensation to any Person or Persons having any

Jury, in ascertaining Compensation for Premises to settle Proportion to be paid to Lessees.

*Lands and
Buildings.*

Interest as Lessees or Tenants at Will, or otherwise, in any such Lands, and the Proportion to be paid out of such Compensation shall be returned on the Verdict : Provided also, that where any such Inquiry before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, shall be had on the Application of any such Lessee or Tenant at Will, or other Person having any inferior Interest in any such Lands, Messuages, Tenements, Hereditaments, or Premises, who may have been dissatisfied with the Proportion of Compensation settled by the Jury to be paid in respect of such Interest, it shall not be lawful for the Jury in any such Case to alter the Amount of the entire Compensation awarded by any former Verdict to be paid for such Lands, Messuages, Tenements, Hereditaments, or Premises, but only the Proportion thereof to be paid to the Person or Persons having separate Interests therein; and it shall not be lawful for any Jury, on any Inquiry had before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, as to any Compensation, on the Application of the said Commissioners of Her Majesty's Treasury, in any Case in which the whole Compensation awarded by the former Jury is confirmed by the Jury on such Inquiry, to alter the Proportion that shall have been settled by any such former Jury as to any separate Interest in any such Lands, Tenements, Messuages, Hereditaments, or Premises.

Security to be
given for Costs.

XL. Provided also, and be it enacted, That it shall be lawful for the Court or Judge or Lord Ordinary making any such Rule or Order to require that the Party on whose Application the same shall be made shall give such Security as shall to such Court, Judge, or Lord Ordinary seem proper, for Payment of Costs under such Circumstances as shall be specified in any Rule or Order made for that Purpose.

Upon delivering
up Lands to the
Owners, all
Erections for
the Public Ser-
vice to be re-
moved, making
Compensation
to Owners.

XLI. And be it enacted, That in all Cases where any Lands shall be taken under the Provisions of this Act for any Term of Years, or for such Period only as the Public Service shall require, it shall be lawful for the Commissioners of Her Majesty's Treasury, or any other Person or Persons so authorized as aforesaid, at any Time before the Possession of any Lands which shall have been taken for the Purposes aforesaid shall be delivered up to the

Owner or Owners thereof, or other Person or Persons acting on his or their Behalf, to take down and remove all such Buildings or other Erections which shall or may have been built or erected thereon for the Public Service, and to carry away the Materials thereof, making such Compensation to the Owner or Owners of such Lands, or other Person or Persons acting on his, her, or their Behalf, for the Damage or Injury which may have been done thereto, or to the Soil thereof, by the Erection of any such Buildings, or removing and carrying away the same, or otherwise, in consequence of the same having been occupied for the Public Service, as the said Commissioners of Her Majesty's Treasury, or such other Person or Persons authorized as aforesaid, shall think reasonable, and as shall be agreed upon in that Behalf; and if such Owner or Owners, or other Person or Persons acting on his, her, or their Behalf, shall not be willing to accept the Compensation so offered, it shall be lawful for the said Commissioners of Her Majesty's Treasury, or other Person or Persons so authorized as aforesaid, to apply to and require Two Justices of the Peace of the County, Riding, Stewartry, City, or Place to settle and ascertain the Compensation which ought to be made for such Damage or Injury as aforesaid; and such Justice shall settle and ascertain the same accordingly, and shall grant a Certificate thereof; and the Amount of such Compensation, so settled and ascertained and certified, shall forthwith be paid by Warrant of the Commissioners of Her Majesty's Treasury, or any Three or more of them, to the Person or Persons entitled thereto: Provided always, that nothing in this Act shall extend or be construed to extend to alter, prejudice, or affect any Agreement which hath been or shall or may be entered into by any such Person or Persons authorized as aforesaid with any Owner or Owners of any such Lands, or other Person or Persons acting on his, her, or their Behalf, in relation to any such Buildings or Erections, but every such Agreement shall remain valid and effectual in like Manner as if this Act had not passed.

*Lands and
Buildings.*

XLII. And be it enacted, That in all Cases where any Money shall have been or shall be agreed, or shall have been or shall be found by the Verdict of any Jury, to be paid or given for the Use or Possession of any Lands, Messuages, Tenements, Hereditaments, or Premises taken

Purchase
Money belong-
ing to incapac-
itated Persons,
&c. to be paid
to the proper

*Lands and
Buildings.*

Officer of the
Exchequer for
their Use.

by virtue of this Act, belonging to any Person or Persons under any Disability or Incapacity, or not having the absolute Interest therein, the same shall be paid by Warrant of the Commissioners of Her Majesty's Treasury, or any Three of them, into the Hands of the proper Officer of Her Majesty's Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively for the Time being for receiving the Monies belonging to the Suitors of the said Court respectively, for the Use and Benefit of such Person or Persons; and such Officer is hereby authorized and required to receive or accept and to give a Discharge for such Money, and upon the Acceptation or Receipt thereof to sign a Certificate to the Barons or Judges of the said Courts of Exchequer respectively, under his Hand, purporting and signifying that such Money or other Consideration was received or accepted by and paid to him in pursuance of this Act, for the Use and Benefit of such Person or Persons who shall be named and described in such Certificate; and the said Certificate shall be filed or deposited in the said Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively, and a true Copy thereof, signed by such Officer of such Court, shall and may be read and allowed as Evidence for the Purposes herein-after mentioned; and such Officer of such Court is hereby required, upon Receipt of any such Sum or Sums of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Scotland* or Royal Bank of *Scotland*, or Bank of *Ireland*, as the Case may require; and immediately upon the filing or depositing of such Certificate the said Lands, Messuages, Tenements, Hereditaments, or Premises shall be vested in or to the Use of Her Majesty, Her Heirs and Successors.

Barons of the
Exchequer, &c.,
on Petition of
Parties inter-
ested, to order
the Application
of Money.

XLIII. And be it enacted, That the Barons or Judges of Her Majesty's Court of Exchequer at *Westminster*, and the Barons or Judges of Her Majesty's Court of Exchequer at *Edinburgh* or *Dublin*, for the Time being respectively, or any Two or more of them, shall be and they are hereby authorized and empowered in a summary Way, upon Motion or by Petition for and on behalf of any Person or Persons interested in or entitled to the Benefit of the Money so paid to and received by the proper Officer of the said Courts respectively, or the Interest or Produce thereof, and upon reading the Certificate directed to be signed by the said Officer concerning

the same as aforesaid, and receiving such further Satisfaction as they shall think necessary, to make and pronounce such Orders and Directions for paying the said Money, or any Part of the same, or for placing out such Part thereof as shall be Principal in the Public Funds, or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, to the respective Persons entitled to receive the same, or for laying out the Principal, or any Part thereof, in the Purchase of other Lands, to be conveyed and settled to, for, and upon the same Uses, Trusts, Intents, and Purposes as the said Lands so taken stood settled at the Time of the Payment of such Money as aforesaid, as near as the same can be done, or otherwise concerning the disposing of the said Money, or any Part thereof, and the Interest of the same, or any Part thereof, for the Benefit of the Person or Persons respectively, or for appointing any Person or Persons to be Trustee or Trustees for all or any of such Purposes, as the said Courts respectively shall think just and reasonable.

*Lands and
Buildings.*

XLIV. And be it enacted, That upon the Death, Removal, or Resignation of any such Officer of the said Courts of Exchequer all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Officer of the Exchequer, for the Purposes herein-before mentioned, without any Assignment or Transfer; and all Monies paid in the said Banks respectively in pursuance of this Act, or remaining in the Hands of any such Officer at his Death, Resignation, or Removal, and not vested in the Funds or placed out on Securities as aforesaid, shall be paid over to the succeeding Officer for the like Purpose for the Time being.

On the Death,
Removal, or
Resignation of
Officer of Ex-
chequer, Stocks
and Securities
shall vest in
Successor.

XLV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to extend to any Garden or Pleasure Ground, or to any Land immediately contiguous to and used as the Curtilage or Homestead of any Dwelling House.

Gardens not
to be affected.

XLVI. And be it enacted, That every Order, Document, Instrument, or Writing relating to the Customs or to the Law of Navigation, required by any Law at any Time in force to be under the Hands of the Commissioners

Treasury.
—
Documents
signed by Three
Commissioners

Treasury.
 —
 of the Treasury
 to be deemed
 the Act of the
 whole Commis-
 sioners.

of Her Majesty's Treasury, being signed by Three or more of such Commissioners, shall be deemed to be an Order, Document, Instrument, or Writing under the Hands of the Commissioners of Her Majesty's Treasury accordingly.

Act to be regis-
 tered in Royal
 Court of Jersey.

XLVII. And be it enacted, That this Act shall be registered in the Royal Court of the Island of *Jersey*, and that the said Royal Court shall have full Power and Authority and is hereby required to register the same.

Alteration of
 Act.

XLVIII. And be it enacted, That this Act may be altered, varied, or repealed by any Act to be passed in the present Session of Parliament.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXVI.

An Act for the general Regulation of the Customs.
[4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the general Regulation of the Customs* (1), whereby the Laws of Customs in relation to the general Regulation of the Customs were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the Amendment of the Law in this respect have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for the Purposes mentioned therein, except where any other Commencement is herein particularly directed.

3 & 4 W. 4. c. 52.

Commence-
ment of Act.

II. And whereas it is expedient that the Officers of Customs should have full Cognizance of all Ships coming into any Port in the United Kingdom or in the *Isle of Man*, or approaching the Coasts thereof, and of all Goods on board or which may have been on board such Ships,

INWARDS.

—
*General
Provision.*

—
No Goods to
be landed nor

(1) For the Repeal of this Act, see Cap. 84. § 2.

INWARDS.

General
Provision.

Bulk broken
before Report
and Entry.

Times and
Places of land-
ing and Care of
Officers.

Goods not
reported or
entered to be
forfeited.

If Bulk ille-
gally broken,
Master to
forfeit 100*l*.

Certain Arti-
cles may be
landed without
Entry.

and also of all Goods unladen from any Ship in any Port or Place in the United Kingdom or in the *Isle of Man*; be it therefore enacted, That no Goods shall be unladen from any Ship arriving from Parts beyond the Seas at any Port or Place in the United Kingdom or in the *Isle of Man*, nor shall Bulk be broken after the Arrival of such Ship within Four Leagues of the Coasts thereof respectively, before due Report (1) of such Ship and due Entry (2) of such Goods shall have been made, and Warrant granted in manner herein-after directed; and that no Goods shall be so unladen, except at such Times and Places, and in such Manner and by such Persons, and under the Care of such Officers, as is and are herein-after directed (3); and that all Goods not duly reported, or which shall be unladen contrary hereto, shall be forfeited (4); and if Bulk be broken contrary hereto, the Master of such Ship shall forfeit the Sum of One hundred Pounds; and if, after the Arrival of any Ship within Four Leagues of the Coast of the United Kingdom or of the *Isle of Man*, any Alteration be made in the Stowage of the Cargo of such Ship, so as to facilitate the unloading of any Part of such Cargo, or if any Part be staved, destroyed, or thrown overboard, or any Package be opened, such Ship shall be deemed to have broken Bulk: Provided always, that the several Articles herein-after enumerated may be landed in the United Kingdom without Report, Entry, or Warrant; (that is to say,) Diamonds and Bullion, fresh Fish of *British* taking and imported in *British* Ships, and Lobsters, fresh, however taken or imported. (5)

Manifest.

—
All British
Ships to have
Manifests.

Particulars of
Manifest.

III. And be it enacted, That no Goods shall be imported into the United Kingdom or into the *Isle of Man* from Parts beyond the Seas in any *British* Ship, unless the Master shall have on board a Manifest of such Goods, made out and dated and signed by him at the Place or respective Places where the same, or the different Parts of the same, was or were taken on board, and authenticated in the Manner herein-after provided; and every such Manifest shall set forth the Name and the Tonnage of the Ship, the Name of the Master and of the Place to which

(1) See § 7.

(2) See §§ 16. 18.

(3) See § 59.

(4) See also Cap. 87. § 28.

(5) As to Navigation, see Cap. 88. § 3.

the Ship belongs, and of the Place or Places where the Goods were taken on board respectively, and of the Place or Places for which they are destined respectively, and shall contain a particular Account and Description of all the Packages on board, with the Marks and Numbers thereon, and of the Sorts of Goods and different Kinds of each Sort contained therein, to the best of the Master's Knowledge, and the general Denomination of the Contents of every Package containing the following Articles imported from any Foreign Place in *Europe*, namely, Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff, and the Particulars of such Goods as are stowed loose, and the Names of the respective Shippers and Consignees, as far as the same can be known to the Master; and to such particular Account shall be subjoined a general Account or Recapitulation of the total Number of the Packages of each Sort, describing the same by their usual Names, or by such Descriptions as the same can best be known by, and the different Goods therein, and also the total Quantities of the different Goods stowed loose; and that all such Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff not so manifested shall be forfeited.

INWARDS.

Manifest.

IV. And be it enacted, That before any Ship shall be cleared out or depart from any Place in any of the *British Possessions* abroad, with any Goods for the United Kingdom or for the *Isle of Man*, the Master of such Ship shall produce the Manifest to the Collector or Comptroller of the Customs or other proper Officer, who shall certify upon the same the Date of the Production thereof to him: Provided always, that in all Places within the Territorial Possessions of the *East India Company* the Collector of Sea Customs or other proper Officer shall authenticate the Manifest as aforesaid.

Manifest to be produced to Officers in Colonies.

V. And be it enacted, That if any Goods shall be imported into the United Kingdom or into the *Isle of Man* in any *British Ship* without such Manifest, or if any Goods contained in such Manifest be not on board, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

Manifest if wanting, or if Goods missing, Master to forfeit 100*l*.

VI. And be it enacted, That the Master of every Ship required to have a Manifest on board (1) shall produce such

Manifest to be produced within Four Leagues;

(1) See § 3.

INWARDS.

Manifest.

and Copies
delivered to
Officers, who
shall transmit
Copies to Port
of Destination.

Manifest to any Officer of the Customs who shall come on board his Ship after her Arrival within Four Leagues of the Coast of the United Kingdom or of the Coast of the *Isle of Man*, and who shall demand the same, for his Inspection; and such Master shall also deliver to any such Officer who shall be the first to demand it a true Copy of such Manifest, signed by the Master, and shall also deliver another Copy to any other Officer of the Customs who shall be the first to demand the same within the Limits of the Port to which such Ship is bound; and thereupon such Officers respectively shall notify on such Manifest and on such Copies the Date of the Production of such Manifest and of the Receipt of such Copies, and shall transmit such Copies to the Collector and Comptroller of the Port to which such Vessel is first bound, and shall return such Manifest to the Master; and if such Master shall not in any Case produce such Manifest or deliver such Copy he shall forfeit the Sum of One hundred Pounds.

Master not pro-
ducing, to
forfeit 100*l*.

Report.

Master within
Twenty-four
Hours and
before breaking
Bulk shall
report.

Particulars of
Report.

VII. And be it enacted, That the Master (1) of every Ship arriving from Parts beyond the Seas at any Port in the United Kingdom or in the *Isle of Man*, whether laden or in ballast, shall within Twenty-four Hours after such Arrival, and before Bulk be broken, make due Report of such Ship, and shall make and subscribe a Declaration to the Truth of the same before the Collector or Comptroller of such Port; and such Report shall contain an Account of the particular Marks, Numbers, and Contents of all the different Packages or Parcels of the Goods on board such Ship, and the Particulars of such Goods as are stowed loose, to the best of his Knowledge, and the general Denomination of the Contents of every Package containing the following Articles imported from any Foreign Place in *Europe*, namely, Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff, and of the Place or Places where such Goods were respectively taken on board, and of the Burden of such Ship, and of the Country (2) where such Ship was built, or if *British* (3)

(1) The Master's Name must be mentioned in the Certificate of Registry, Cap. 89. § 2.; and upon any Change of Master the Name of the new Master must be endorsed thereon, ib. § 24. See also § 127. of this Act as to who is to be deemed Master, and § 140.

(2) As to national Character of Vessels, see Cap. 88. §§ 13. 16.

(3) If the Ship has received Foreign Repairs exceeding 20*s*. the Ton, the Master must so report. See Cap. 89. § 7.

of the Port of Registry, and of the Country of the People to whom such Ship belongs, and of the Name and Country of the Person who was Master during the Voyage, and of the Number of the People by whom such Ship was navigated, stating how many are Subjects of the Country to which such Ship belongs, and how many are of some other Country; and in such Report it shall be further declared whether and in what Cases such Ship has broken Bulk in the course of her Voyage, and what Part of the Cargo, if any, is intended for Importation at such Port, and what Part, if any, is intended for Importation at another Port in the United Kingdom or at another Port in the *Isle of Man* respectively, and what Part, if any, is prohibited to be imported (1) except to be warehoused for Exportation only, and what Part, if any, is intended for Exportation (2) in such Ship to Parts beyond the Seas, and what surplus Stores (3) or Stock remain on board such Ship, and if a *British* Ship, what Foreign-made Sails or Cordage (4), not being standing or running Rigging, are in use on board such Ship; and the Master of any Ship who shall fail to make such Report, or who shall make a false Report, shall forfeit the Sum of One hundred Pounds.

INWARDS.

Report.

Penalty on
Failure, 100l.

VIII. Provided always, and be it enacted, That the Master of every Vessel coming from the Coast of *Africa*, and having taken on board at any Place in *Africa* any Person or Persons being or appearing to be Natives of *Africa*, shall, in addition to all other Matters, state in the Report of his Vessel how many such Persons have been taken on board by him in *Africa*; and any such Master failing herein shall forfeit the Sum of One hundred Pounds: Provided also, that the Master or Owner or Owners of such Vessel, or some or One of them, at the Time of making such Report, be required to enter into Bond to Her Majesty in the Sum of One hundred Pounds, conditioned to keep harmless any Parish or any extra-parochial or other Place maintaining its own Poor against any Expence which such Parish or other Place may be put to in supporting any such Person during their Stay in the United Kingdom; and any such Master, Owner or

Bond to main-
tain Africans.

(1) See §§ 63, 64, 65. See also Cap. 88. § 22.

(2) For Departure of such Ship with such Goods, see §§ 86, 88, 90.

(3) As to Stores, see § 35.; also Cap. 91. §§ 16, 19.

(4) In what Cases liable to Duty, see Cap. 90., Table Inwards.

INWARDS.

Report.

Packages
reported
" Contents
unknown "
may be opened
and examined.

Owners, refusing or neglecting to enter into such Bond, shall forfeit the Sum of Two hundred Pounds.

IX. And be it enacted, That if the Contents of any Package so intended as aforesaid for Exportation in the same Ship to Parts beyond the Seas shall be reported by the Master as being unknown to him, it shall be lawful for the Officers of the Customs to open and examine such Package on board, or to bring the same to the Queen's Warehouse for that Purpose; and if there be found in such Package any Goods which may not be entered for Home Use, such Goods shall be forfeited, or if the Goods be such as may be entered for Home Use, the same shall be chargeable with the Duties of Importation, unless in either Case the Commissioners of Her Majesty's Customs, in consideration of the Sort or Quality of such Goods, or the small Rate of Duty payable thereon, shall see fit to deliver the same for Exportation.

Master to
deliver Mani-
fest ;

and, if required,
Bill of Lading
or Copy ;

and answer
Questions as to
Voyage ;

X. And be it enacted, That the Master of every Ship shall at the Time of making such Report deliver to the Collector or Comptroller the Manifest of the Cargo of such Ship, where a Manifest is required (1), and, if required by the Collector or Comptroller, shall produce to him any Bill or Bills of Lading, or a true Copy thereof, for any and every Part of the Cargo laden on board, and shall answer all such Questions relating to the Ship and Cargo, and Crew and Voyage, as shall be put to him by such Collector or Comptroller; and in case of Failure or Refusal to produce such Manifest, or to answer such Questions, or to answer them truly, or to produce such Bill of Lading or Copy, or if such Manifest or Bill of Lading or Copy shall be false, or if any Bill of Lading be uttered or produced by any Master, and the Goods expressed therein shall not have been *bonâ fide* shipped on board such Ship, or if any Bill of Lading uttered or produced by any Master shall not have been signed by him, or any such Copy shall not have been received or made by him previously to his leaving the Place where the Goods expressed in such Bill of Lading or Copy were shipped, then and in every such Case such Master shall forfeit the Sum of One hundred Pounds.

on Failure, to
forfeit 100*l*.

(1) See § 3.

XI. And be it enacted, That if any Part of the Cargo of any Ship for which a Manifest is required be reported for Importation at some other Port in the United Kingdom or at some other Port in the *Isle of Man* respectively, the Collector and Comptroller of the Port at which some Part of the Cargo has been delivered shall notify such Delivery on the Manifest, and return the same to the Master of such Ship.

INWARDS.

Report.

Part of Cargo
reported for
another Port.

XII. And be it enacted, That every Ship shall come as quickly up to the proper Place of mooring or unlading as the Nature of the Port will admit, and without touching at any other Place, and in proceeding to such Place shall bring to at Stations appointed by the Commissioners of Her Majesty's Customs for the boarding of Ships by the Officers of the Customs (1); and after Arrival at such Place of mooring or unlading such Ship shall not remove from such Place, except directly to some other proper Place, and with the Knowledge of the proper Officer of the Customs, on Penalty of One hundred Pounds, to be paid by the Master of such Ship: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Customs to appoint Places to be the proper Places for the mooring or unlading of Ships importing Tobacco, and where such Ships only shall be moored or unladen; and in case the Place so appointed for the unlading of such Ships shall not be within some Dock surrounded with Walls, if any such Ship, after having been discharged, shall remain at such Place, or if any Ship not importing Tobacco shall be moored at such Place, the Master shall in either Case forfeit and pay the Sum of Twenty Pounds.

General Provi-
sions.

Ship to come
quickly to
Place of un-
lading, and
bring to at
Stations for
boarding
Officers.

Mooring
Places for
Tobacco Ships.

XIII. And be it enacted, That no Goods imported into the United Kingdom from Parts beyond the Seas shall be unshipped or carried from the importing Vessel to any Quay, Wharf, or other Place, previously to the Examination thereof, except under such Rules, Regulations, and Restrictions as the Commissioners of Her Majesty's Customs may from Time to Time, with the Approbation of the Commissioners of Her Majesty's Treasury, direct and appoint; and all Goods unshipped or carried contrary to such Rules, Regulations, or Restrictions, or any of them,

Goods unship-
ped from the
importing Ves-
sel, or landed
contrary to the
Regulations of
the Commis-
sioners of Cus-
toms, forfeited.

(1) For Penalty on Failure, see § 149.

INWARDS.

General Provisions.

Penalty on Persons concerned.

shall be forfeited, together with the Craft or other Means used for the Conveyance of any such Goods; and every Person knowingly concerned in the unshipping or carrying of such Goods, or to whose Hands and Possession such Goods shall knowingly come, contrary to such Rules, Regulations, and Restrictions, shall forfeit and pay a Sum of One hundred Pounds, or Treble the Value of such Goods, at the Election of the said Commissioners of Her Majesty's Customs.

Officers to board Ships;

XIV. And be it enacted, That it shall be lawful for the proper Officers of the Customs to board (1) any Ship arriving at any Port in the United Kingdom or in the *Isle of Man*, and freely to stay on board until all the Goods laden therein shall have been duly delivered from the same; and such Officers shall have free Access (2) to every Part of the Ship, with Power to fasten down Hatchways, and to mark any Goods before landing, and to lock up, seal, mark, or otherwise secure any Goods on board such Ship; and if any Place or any Box or Chest be locked, and the Keys be withheld, such Officers, if they be of a Degree superior to Tidesmen or Watermen, may open any such Place, Box, or Chest in the best Manner in their Power; and if they be Tidesmen or Watermen, or only of that Degree, they shall send for their superior Officer, who may open or cause to be opened any such Place, Box, or Chest in the best Manner in his Power; and if any Goods be found concealed (3) on board any such Ship they shall be forfeited; and if the Officers shall place any Lock, Mark, or Seal upon any Goods on board, and such Lock, Mark, or Seal be wilfully opened, altered, or broken before due Delivery of such Goods, or if any of such Goods be secretly conveyed away, or if the Hatchways, after having been fastened down by the Officer, be opened, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

to have free Access to all Parts;
may seal or secure Goods, and open Locks.

Goods concealed, forfeited.

If Seal, &c. broken, Master to forfeit 100l.

Commissioned Ships, British or Foreign, having Goods

XV. Provided always, and be it enacted, That if any Ship (having Commission from Her Majesty or from any Foreign Prince or State) arriving as aforesaid at any Port

(1) See § 150.; also Cap. 87. § 36.

(2) See also Cap. 87. § 36.; and as to Places of Concealment, same Act, § 15.

(3) See Cap. 87. § 29.

in the United Kingdom or in the *Isle of Man* shall have on board any Goods laden in Parts beyond the Seas, the Captain, Master, Purser, or other Person having the Charge of such Ship or of such Goods for that Voyage shall, before any Part of such Goods be taken out of such Ship, or when called upon so to do by any Officer of the Customs, deliver an Account in Writing under his Hand to the best of his Knowledge of the Quality and Quantity of every Package or Parcel of such Goods, and of the Marks and Numbers thereon, and of the Names of the respective Shippers and Consignees of the same, and shall make and subscribe a Declaration at the Foot of such Account declaring to the Truth thereof, and shall also truly answer to the Collector or Comptroller such Questions concerning such Goods as shall be required of him, and on Failure thereof such Captain, Master, Purser, or other Person shall forfeit the Sum of One hundred Pounds; and all such Ships shall be liable to such Searches as Merchant Ships are liable to, and the Officers of the Customs may freely enter and go on board all such Ships, and bring from thence on shore into the Queen's Warehouse any Goods found on board any such Ship as aforesaid, subject nevertheless to such Regulations in respect of Ships of War belonging to Her Majesty as shall from Time to Time be directed in that respect by the Commissioners of Her Majesty's Treasury.

INWARDS.

General Provisions.

—
on board, Person in charge to deliver an Account, or forfeit 100*l*.

Such Ships
liable to Search.

XVI. And be it enacted, That every Importer of any Goods shall, within Fourteen Days after the Arrival of the Ship importing the same, make perfect Entry Inwards of such Goods, or Entry by Bill of Sight in manner herein-after provided (1), and shall within such Time land the same (2), and in default of such Entry and landing it shall be lawful for the Officers of the Customs to convey such Goods to the Queen's Warehouse; and whenever the Cargo of any Ship shall have been discharged, with the Exception only of a small Quantity of Goods, it shall be lawful for the Officers of the Customs to convey such remaining Goods and at any Time to convey any small Packages or Parcels of Goods to the Queen's Warehouse, although such Fourteen Days shall not have expired, there to be kept waiting the due Entry thereof during the Re-

Entry.

—
After Fourteen Days, Officer may land Goods not entered, and certain Goods before Fourteen Days.

(1) See § 24.

(2) See § 60.

INWARDS.

Entry.

Duties and
Charges not
paid in Three
Months, Goods
may be sold.

mainder of such Fourteen Days; and if the Duties due upon any Goods so conveyed to the Queen's Warehouse shall not be paid within Three Months after such Fourteen Days shall have expired, together with all Charges of Removal and Warehouse Rent (1), the same shall be sold, and the Produce thereof shall be applied, first to the Payment of Freight and Charges, next of Duties, and the Overplus (if any) shall be paid to the Proprietor of the Goods.

Where Goods
remain on board
a Vessel beyond
the Time
allowed by Law,
the Vessel and
Goods may be
detained until
the Expence of
guarding the
Goods is paid.

XVII. And be it enacted, That whenever any Officer of the Customs shall have been kept in charge of any Goods beyond the Time allowed by Law for the same being entered and landed, it shall be lawful for such Officer to detain the Vessel in which such Goods shall have been imported, provided the same are remaining on board the Vessel, until the Expences so incurred shall have been paid to such Person as the Commissioners of Her Majesty's Customs shall think fit to appoint to receive the same; and in all Cases where the Goods shall have been put out of the Vessel the Person or Persons in whose Names the same shall have been entered shall pay to the Person so appointed as aforesaid all such Expences as may have been so incurred by such Officer, and such Goods shall and may be detained until such Expences shall have been paid, and if not paid within One Month after Demand made in Writing of such Person or Persons by any Officer of the Customs, the same shall and may be sold, and the Proceeds shall be applied, first, to the Payment of the Freight and Charges, next of the Duties, next of the Expences of such Officer, and of the Charges attending the Seizure and Sale of such Goods, and the Overplus, if any, shall be paid to the Proprietor of the Goods.

Bill of Entry to
be delivered.

XVIII. And be it enacted, That the Person entering any Goods Inwards (whether for Payment of Duty, or to be warehoused upon the first perfect Entry thereof, or for Payment of Duty upon the taking out of the Warehouse, or whether such Goods be free of Duty,) shall deliver to the Collector or Comptroller a Bill of the Entry of such Goods, fairly written, or fairly written in part and fairly printed in part, in Words at Length, expressing the Name of the Ship and of the Master of the Ship in which the Goods

Particulars.

(1) See § 151.

were imported, and of the Place from whence they were brought, and the Description and Situation of the Warehouse, if they are to be warehoused, and the Name of the Person in whose Name the Goods are to be entered, and the Quantity and Description of the Goods (1), and the Number and Denomination or Description of the respective Packages containing the Goods, and in the Margin of such Bill shall delineate the respective Marks and Numbers of such Packages, and shall pay down any Duties which may be payable upon the Goods mentioned in such Entry; and such Person shall also deliver at the same Time Two or more Duplicates, as the Case may require, of such Bill, in which all Sums and Numbers may be expressed in Figures; and the Particulars to be contained in such Bill shall be written, or partly written and partly printed, and arranged in such Form and Manner and the Number of such Duplicates shall be such as the Collector and Comptroller shall require; and such Bill, being duly signed by the Collector and Comptroller, and transmitted to the Landing Waiter, shall be the Warrant to him for the landing and delivering of such Goods.

INWARDS.

Entry.

Duplicates.

Bill of Entry
signed shall be
the Warrant.

XIX. And be it enacted, That every Person who shall make or cause to be made any such Entry Inwards of any Goods, not being duly authorized thereto by the Proprietor or Consignee of such Goods, shall for every such Offence forfeit the Sum of One hundred Pounds: Provided always, that no such Penalty shall extend or be deemed to extend to any Person acting under the Directions of the several Dock Companies or other Corporate Bodies authorized by Law to pass Entries.

Unauthorized
Persons not to
be permitted to
make Entries.

Proviso.

XX. And be it enacted, That no Entry, nor any Warrant for the landing of any Goods, or for the taking of any Goods out of any Warehouse, shall be deemed valid, unless the Particulars of the Goods and Packages in such Entry shall correspond with the Particulars of the Goods and Packages purporting to be the same in the Report of the Ship, and in the Manifest where a Manifest is required, and in the Certificate or other Document where any is required, by which the Importation or Entry of such Goods is authorized, nor unless the Goods shall have been

Not valid unless
agreeing with
Manifest, Re-
port, and other
Documents;and Description
of Goods.

(1) See § 20.

INWARDS.

Entry.

Goods not properly entered
forfeited.

properly described (1) in such Entry by the Denominations and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported, either to be used in the United Kingdom or to be warehoused for Exportation only (2), and any Goods taken or delivered out of any Ship or out of any Warehouse, or for the Delivery of which, or for any Order for the Delivery of which, from any Warehouse, Demand shall have been made, not having been duly entered, shall be forfeited.

Goods by Number, Measure, or Weight.

Goods ad valorem.

Declaration of Value.

Penalty on Persons not authorized.

Form of Declaration.

XXI. And be it enacted, That if the Goods in such Entry be charged to pay Duty according to the Number, Measure, or Weight thereof, such Number, Measure, or Weight shall be stated in the Entry; and if the Goods in such Entry be charged to pay Duty according to the Value thereof, such Value shall be stated in the Entry, and shall be affirmed by the Declaration of the Importer or his known Agent written upon the Entry, and attested by his Signature; and if the Goods in such Entry be chargeable, at the Option of the Officers of Customs, either according to the Number, Measure, or Weight thereof, or according to the Value thereof (3), then as well such Number, Measure, or Weight, as also such Value, shall be in like Manner stated in the Entry and attested; and if any Person make such Declaration, not being the Importer or Proprietor of such Goods, nor his Agent duly authorized by him, such Person shall forfeit the Sum of One hundred Pounds; and such Declaration shall be made in manner and form following, and shall be binding upon the Person by or on behalf of whom the same shall be made; (that is to say,)

‘ I *A. B.* of [*Place of Abode*] do hereby declare, That I
‘ am [*the Importer, or authorized by the Importer,*]
‘ of the Goods contained in this Entry, and that I enter
‘ the same [*stating which, if Part only,*] at the Sum
‘ of
‘ Witness my Hand, the Day of
‘ *A. B.*’

(1) Officers may take Samples, § 135.

(2) See §§ 64, 65., and Cap. 88. § 22.

(3) E. g. Silk Goods. See Table Inwards, Cap. 90.

XXII. And be it enacted, That if upon the Examination of any Goods for Duty it shall appear to the Officers of the Customs that such Goods are not valued according to the true Value thereof, it shall be lawful for such Officers to detain and secure such Goods, and within Seven Days from the Day on which such Goods shall be finally examined for Duty by the proper Officer, if in any Port in *England*, or within Ten Days from such last-mentioned Day if in any Port in *Scotland*, *Ireland*, or the *Isle of Man*, to take such Goods for the Use of the Crown; and if a different Rate of Duty shall be charged upon any Goods according as the Value of the same shall be described in the Entry to be above or to be below any particular Price or Sum (1), and such Goods shall be valued in the Entry so as to be liable to the lower Rate of Duty, and it shall appear to the Officers of the Customs that such Goods, by reason of their real Value, are properly liable to the higher Rate of Duty, it shall be lawful for such Officers, in like Manner, to take such Goods for the Use of the Crown (2); and the Commissioners of Her Majesty's Customs shall thereupon in any of such Cases cause the Amount of such Valuation, together with an Addition of Ten Pounds *per Centum* thereon, and also the Duties paid upon such Entry, to be paid to the Importer or Proprietor of such Goods, in full Satisfaction for the same, and shall dispose of such Goods for the Benefit of the Crown; and if the Produce of such Sale shall exceed the Sums so paid, and all Charges incurred by the Crown, one Moiety of the Overplus shall be given to the Officer or Officers who had detained and taken the Goods, and the Money retained for the Benefit of the Crown shall be paid into the Hands of the Collector of the Customs, with the Knowledge of the Comptroller, and be carried to account as Duties of Customs.

INWARDS.

Entry.

If Goods under-valued Officers may detain them.

Valuation and Ten per Cent. to be paid to Importer.

Goods to be sold for the Benefit of the Crown.

XXIII. And whereas it is expedient that correct Accounts may continue to be taken of the Value of the Imports of certain Goods upon which Duty has hitherto been charged according to the Value thereof, but upon which Goods the Duties have been repealed; be it enacted, That upon the Entry Inwards of any such Goods the Value thereof shall be stated in the Entry, and shall be

Value of Goods entered Inwards to be stated in the Entry, and attested by the Importer.

(1) E. g. Turpentine. See Cap. 90. Table (A.)

(2) As to Power to restore, see § 147.

INWARDS.

Entry.

Penalty 20*l.* for
a false Decla-
ration.

affirmed by the Declaration of the Importer or his known Agent written upon the Entry, and attested by his Signature; and if such Declaration be false the Person signing the same shall forfeit a Sum not exceeding Twenty Pounds; and it shall be lawful for the Landing Waiter or other Officer appointed to examine such Goods to call for the Invoice, Bills of Parcels, and such other Documents relating thereto as he may think necessary, for ascertaining the true Value of the same.

Bill of Sight,
if Goods be
not known.

Importer to
examine, and
make perfect
Entry in Three
Days;

XXIV. And be it enacted, That if the Importer of any Goods, or his Agent, after full Conference with him, shall declare before the Collector or Comptroller that he cannot for Want of full Information make a full or perfect Entry of such Goods, and shall make and subscribe a Declaration to the Truth thereof, it shall be lawful for the Collector and Comptroller to receive an Entry by Bill of Sight for the Packages or Parcels of such Goods, by the best Description which can be given, and to grant a Warrant thereupon, in order that the same may be provisionally landed, and may be seen and examined by such Importer in Presence of the proper Officers; and within Three Days after any Goods shall have been so landed the Importer shall make a full or perfect Entry thereof, and shall either pay down all Duties which shall be due and payable upon such Goods, or shall duly warehouse the same, according to the Purport of the full or perfect Entry or Entries so made for such Goods, or for the several Parts or Sorts thereof: Provided always, that if, when full or perfect Entry be at any Time made for any Goods provisionally landed as aforesaid by Bill of Sight, such Entry shall not be made in manner herein required for the due landing of Goods, such Goods shall be deemed to be Goods landed without due Entry thereof, and shall be subject to the like Forfeiture accordingly.

or Goods to be
taken to Queen's
Warehouse;
and in One
Month may
be sold.

XXV. And be it enacted, That in default of perfect Entry within such Three Days such Goods shall be taken to the Queen's Warehouse by the Officers of the Customs; and if the Importer shall not within One Month after such landing make perfect Entry or Entries of such Goods, and pay the Duties thereon, or on such Parts as can be entered for Home Use, together with the Charges of Removal and of Warehouse Rent, such Goods shall be sold for the Payment of such Duties (or for Exportation, if they be such as

cannot be entered for Home Use, or shall not be worth the Duties and Charges,) and for the Payment of such Charges, and the Overplus, if any, shall be paid to the Importer or Proprietor thereof.

INWARDS.

Entry.

XXVI. And be it enacted, That in all Cases where an Entry for landing or examining Goods for Duty shall be made by Bill of Sight the Importer or his Agent shall, before the same be granted, deposit with the proper Officer of the Customs a Sum of Money sufficient in Amount to cover the Duties payable on the Goods intended to be landed by such Bill of Sight, and shall make and subscribe a Declaration that he has not any Reason to believe that the Duties on the Goods will amount to more than the Sum deposited.

Where Goods are entered by Bill of Sight a Deposit equal in Amount to the Duties is to be made.

XXVII. And be it enacted, That if the Sum deposited on a Bill of Sight shall not be equal in Amount to the Duties payable upon all the Goods contained in any single Package landed or examined thereby, no Part shall be delivered until a perfect Entry or Entries is or are made for the whole of the Goods contained in such Package.

Case in which no Part of the Goods in a Package shall be delivered without perfect Entry of the whole.

XXVIII. And be it enacted, That before any Goods in respect of which a Bill of Sight has been granted shall be delivered out of the Custody of the proper Officer of the Customs, the Importer or his Agent shall endorse upon the Bill of Sight granted for landing or examining the same a particular Account thereof, to which he shall affix his Signature and Place of Abode, with the Date of making such Endorsement; and such Endorsement upon the Bill of Sight shall, upon being duly signed by the Collector and Comptroller, become the perfect Entry for such Goods: Provided always, that nothing herein contained shall alter or affect any other of the Regulations required by Law in respect of Bills of Entry.

Importer or Agent to endorse the Bill of Sight with Particulars of the Goods, and sign the same.

XXIX. And be it enacted, That where any Package or Parcel shall have been landed by Bill of Sight, and any Goods or other Things shall be found in such Package or Parcel concealed in any way, or packed with Intent to deceive the Officers of Her Majesty's Customs, as well all such Goods and other Things as the Package or Parcel in which they are found, and all other Things contained in such Package or Parcel, shall be forfeited.

Goods landed by Bill of Sight fraudulently concealed to be forfeited.

INWARDS.

Entry.

If Goods
damaged on
Voyage, an
Abatement of
Duties to be
allowed.

When Claim to
be made.

Officers to exa-
mine Damage,
and state Pro-
portion, or
choose Two
Merchants to
assess Damage.

XXX. And be it enacted, That if any Goods which are rated to pay Duty according to the Number, Measure, or Weight thereof, (except certain Goods herein-after mentioned (1).) shall receive Damage during the Voyage, an Abatement of such Duties shall be allowed in proportion to the Damage so received, provided Proof be made to the Satisfaction of the Commissioners of Her Majesty's Customs, or of any Officers of Customs acting therein under their Directions, that such Damage was received after the Goods were shipped abroad in the Ship importing the same, and before they were landed in the United Kingdom, and provided Claim to such Abatement of Duties be made at the Time of the first Examination of such Goods.

XXXI. And be it enacted, That the Officers of the Customs shall thereupon examine such Goods with reference to such Damage, and may state the Proportion of Damage which in their Opinion such Goods have so received, and may make a proportionate Abatement of Duties; but if the Officers of Customs be incompetent to estimate such Damage, or if the Importer be not satisfied with the Abatement made by them, the Collector and Comptroller shall choose Two indifferent Merchants experienced in the Nature and Value of such Goods, who shall examine the same, and shall make and subscribe a Declaration, stating in what Proportion, according to their Judgment, such Goods are lessened in their Value by reason of such Damage, and thereupon the Officers of Customs may make an Abatement of the Duties according to the Proportion of Damage so declared by such Merchants.

No Abatement
for certain
Goods.

XXXII. Provided always, and be it enacted, That no Abatement of Duties shall be made on account of any Damage received by any of the Sorts of Goods herein-after enumerated; (that is to say,) (2)

Cantharides,
Cocoa,
Coculus Indicus,
Coffee,

Currants,
Figs,
Guinea Grains,
Ipecacuanha,

(1) See § 32.

(2) As to the Abandonment of the damaged Parts of Cocoa, Coffee, Pepper, Tobacco, and Lees of Wine, see Cap. 91. § 37.; and as to Tea, see 3 & 4 W. 4. c 101. § 4.

Jalap,
Lemons,
Nux Vomica,
Opium,
Oranges,
Pepper,
Raisins,

Rhubarb,
Sarsaparilla,
Senna,
Sugar,
Tea,
Tobacco,
Wine.

INWARDS.

Entry.

XXXIII. And be it enacted, That it shall be lawful to re-import into the United Kingdom from any Place, in a Ship of any Country, any Goods (except as herein-after excepted (1).) which shall have been legally exported from the United Kingdom, and to enter the same by Bill of Store (2), referring to the Entry Outwards, and Exportation thereof, provided the Property in such Goods continue in the Person by whom or on whose Account the same have been exported, and that such Re-importation take place within Six Years from the Date of the Exportation; and if the Goods so returned be Foreign Goods, which had before been legally imported into the United Kingdom, the same Duties shall be payable thereon as would at the Time of such Re-importation be payable on the like Goods under the same Circumstances of Importation as those under which such Goods had been originally imported, or such Goods may be warehoused as the like Goods might be warehoused upon a first Importation thereof: Provided always, that the several Sorts of Goods enumerated or described in the Table following shall not be re-imported into the United Kingdom for Home Use upon the ground that the same had been legally exported from thence, but that the same shall be deemed to be Foreign Goods, whether originally such or not, and shall also be deemed to be imported for the first Time into the United Kingdom; (that is to say,)

Returned Goods may be entered by Bill of Store, if Property be not changed.

If Foreign Goods, Duties then due to be paid;

or Goods may be warehoused.

Certain Goods may not be returned for Home Use.

TABLE of GOODS above referred to.

Corn, Grain, Meal, Flour, and Malt:
Hops, Tea:

Goods for which any Bounty or any Drawback of Excise had been received on Exportation, unless by special Permission of the Commissioners of Her Majesty's

(1) See Table at the End of this Section.

(2) As to Requisites for Bill of Store, see § 34.

INWARDS.

Entry.

Customs, and on Repayment of such Bounty or such Drawback :

All Goods for which Bill of Store cannot be issued in manner herein-after directed, except small Remnants of *British* Goods by special Permission of the Commissioners of Her Majesty's Customs, upon Proof to their Satisfaction that the same are *British*, and had not been sold.

Returned
Tobacco sub-
ject to Restr-
ictions.

Provided also, that Tobacco re-imported by Bill of Store shall be subject to all the Restrictions imposed by Law upon Tobacco imported into the United Kingdom, and shall be liable to Forfeiture if imported contrary to such Restrictions.

Bill of Store
may be issued
by Searcher.

XXXIV. And be it enacted, That the Person in whose Name any Goods so re-imported were entered for Exportation shall deliver to the Searcher at the Port of Exportation an exact Account, signed by him, of the Particulars of such Goods, referring to the Entry and Clearance Outwards and to the Return Inwards of the same, with the Marks and Number of the Packages, both Inwards and Outwards ; and thereupon the Searcher, finding that such Goods had been legally exported, shall grant a Bill of Store for the same ; and if the Person in whose Name such Goods were entered for Exportation was not the Proprietor thereof, but his Agent, he shall declare on such Bill of Store the Name of the Person by whom he was employed as such Agent ; and if the Person to whom such returned Goods are consigned shall not be such Proprietor and Exporter, he shall make and subscribe a Declaration on such Bill of Store of the Name of the Person for whose Use such Goods have been consigned to him ; and the real Proprietor, ascertained to be such, shall make and subscribe a Declaration upon such Bill of Store, to the Identity of the Goods so exported and so returned, and that he was at the Time of Exportation and of Re-importation the Proprietor of such Goods, and that the same had not during such Time been sold or disposed of to any other Person ; and such Declaration shall be made before the Collectors or Comptrollers at the Ports of Exportation and of Importation respectively ; and thereupon the Collector or Comptroller shall admit such Goods to Entry by Bill of Store, and grant their Warrant accordingly : Provided always, that where the real Proprietor of any such Goods shall be absent from the United Kingdom at the

Agent to de-
clare Name of
his Employer.

Consignee to
declare who is
Proprietor.

Proprietor to
declare to
Identity, and
Property
unchanged ;

then Entry by
Bill of Store to
be granted.
Goods, the
Property of
Persons resi-

Time of such Re-importation, such Goods, if legally entitled to be entered by Bill of Store, shall be permitted to be so entered upon Production of a Declaration subscribed by such real Proprietor, setting forth the Identity of the Goods so exported and so returned, and that he was at the Time of Exportation from the United Kingdom, and will be at the Time of Re-importation thereinto, the Proprietor of such Goods, and that the same have not during such Time been sold or disposed of to any other Person, such Declaration to be made before a *British* Consul, Vice Consul, or other *British* Authority residing in or near the Place of Residence of such real Proprietor, and upon such further Proof of the Identity of the Goods as the Commissioners of Customs shall require, and upon Compliance with all the other Regulations required by Law on the Entry of Goods by Bill of Store.

INWARDS.

Entry.

dent abroad,
may be entered
by Bill of Store,
if Property not
changed.

XXXV. And be it enacted, That the surplus Stores (1) of every Ship arriving from Parts beyond the Seas in the United Kingdom or in the *Isle of Man* shall be subject to the same Duties, and the same Prohibitions, Restrictions, and Regulations as the like Sorts of Goods shall be subject to when imported by way of Merchandize; but if it shall appear to the Collector and Comptroller that the Quantity or Description of such Stores is not excessive or unsuitable, under all the Circumstances of the Voyage, it shall be lawful for them to permit such surplus Stores to be entered for the private Use of the Master, Purser, or Owner of such Ship, or of any Passenger of such Ship to whom any such surplus Stores may belong, on Payment of the proper Duties, or to be warehoused (2) for the future Use of such Ship, although the same could not be legally imported by way of Merchandize.

Surplus Stores
subject as
Goods;

if not excessive,
may be entered
for
private Use,
or be ware-
housed for
the Use of the
Ship.

XXXVI. And be it enacted, That no Goods shall be entered as being of or from any *British* Possessions abroad (if any Benefit attach to such Distinction), except the Territories subject to the Government of the Presidencies of *Fort William* in *Bengal*, *Fort Saint George*, and *Bombay* respectively, unless the Master of the Ship importing the same shall have delivered to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the

Goods from
Possessions
abroad.

Master to de-
liver Certificate
of Clearance.

(1) Must be reported. See § 7.

(2) See Cap. 91. §§ 16, 20.

INWARDS.

Entry.

Place where such Goods were taken on board, of the due Clearance (1) of such Ship from thence, containing an Account of such Goods.

Power to the Lords of the Treasury to require Certificates of Production.

Goods imported without required Certificates deemed Foreign; and Foreign Goods imported from a British Possession deemed to be imported from a Foreign Country.

XXXVII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, by any Order under their Hands, to declare that a Certificate of Production shall be required upon the Exportation of any Goods from any *British* Possession abroad or other Place, or upon the Importation of such Goods into the United Kingdom, and to frame such Regulations respecting such Certificates as they may think fit; and if any Goods in respect of which such a Certificate shall have been so required, or in respect of which a Certificate of Production, or any such Certificate of Clearance as aforesaid, shall be required by any Law for the Time being in force, shall be imported into the United Kingdom without such Certificates respectively, the same shall be deemed and taken to be of Foreign Growth, Produce, or Manufacture; and all Goods so deemed and taken to be of Foreign Growth, Produce, or Manufacture, and all other Goods whatsoever of the Growth, Produce, or Manufacture of Foreign Countries, which shall henceforth be imported into the United Kingdom from any *British* Possession abroad, shall be deemed and taken, so far as respects Liability to Duties, to have been imported from a Foreign Country: Provided always, that all Orders of the Commissioners of Her Majesty's Treasury made in pursuance hereof shall be duly published in the *London* and *Dublin* Gazettes Three Times at least within Three Months from the Date of such Orders respectively.

Certificate of Growth of Sugar, Coffee, Cocoa, and Spirits.

XXXVIII. And be it enacted, That before any Sugar, Coffee, Cocoa, or Spirits shall be entered as being of the Produce of some *British* Possession in *America*, or the Island of *Mauritius*, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, testifying that Proof had been made in manner required by Law (2)

(1) See Cap. 93. § 22.

(2) See Cap. 93. § 41. See also same Act, § 8. as to such Articles imported from Colonies into which the like Articles of Foreign Production are not prohibited to be imported.

that such Goods are of the Produce of some *British* Possession in *America* or of the Island of *Mauritius*, stating the Name of the Place where such Goods were produced, and the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they are laden, and of the Master thereof; and such Master shall also make and subscribe a Declaration before the Collector or Comptroller, that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as are mentioned therein.

INWARDS.

Entry.

Master to
declare to
Certificate.

XXXIX. And be it enacted, That before any Sugar shall be entered as being the Produce of any *British* Possession within the Limits of the *East India* Company's Charter the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate (1) under the Hand and Seal of the proper Officer at the Place where such Sugar was taken on board, testifying that a Declaration in Writing, the Contents of which he believed to be true, had been made and signed before him by the Shipper of such Sugar, that the same was really and *bonâ fide* the Produce of such *British* Possession; and such Master shall also make and subscribe a Declaration before the Collector or Comptroller, that such Certificate was received by him at the Place where such Sugar was taken on board, and that the Sugar so imported is the same as is mentioned therein.

Certificate of
Produce of
Sugar from
Limits of *East*
India Com-
pany's Charter.Master to
declare to
Certificate.

XL. And be it enacted, That if any Sugar the Produce of any *British* Possession within the Limits of the *East India* Company's Charter shall have been imported into the *Cape of Good Hope* from the Place of its Production, accompanied by such a Certificate of Origin as would be sufficient for its Admission in the United Kingdom at the Rate of Duty payable upon such Sugar if imported direct from the Place of its Production, and shall have been warehoused at the *Cape of Good Hope* under the Regulations there in force for the warehousing of Goods, and shall have been exported from such Warehouse accompanied by a Certificate from the proper Officer of the Customs at the *Cape of Good Hope*, setting forth the

East India
Sugar ware-
housed at the
Cape of Good
Hope, and im-
ported from
thence.

(1) See Cap. 93. § 91.

INWARDS.

Entry.

Particulars of the Importation, and of the warehousing, and of the Exportation of the same, and also setting forth the Substance of the Certificate of Origin before mentioned, and if on the Arrival in the United Kingdom of the Ship importing such Sugar the Master of such Ship shall deliver to the Collector or Comptroller at the Port of Importation such Certificate from the Officer of the Customs at the *Cape of Good Hope*, and shall make and subscribe a Declaration before such Collector or Comptroller that such Certificate was received by him at the *Cape of Good Hope*, and that the Sugar so imported is the same as is mentioned therein, then such Sugar shall be admitted at such Port of Importation in the United Kingdom at the same Rate of Duty as would be payable if the same had been imported direct from the Place of its Production.

Certificate of
Wine, Produce
of Cape of
Good Hope;

XLII. And be it enacted, That before any Wine shall be entered as being the Produce of the *Cape of Good Hope* the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate under the Hand of the proper Officer at the *Cape of Good Hope*, testifying that Proof had been made in manner required by Law (1) that such Wine is of the Produce of the *Cape of Good Hope* or the Dependencies thereof, stating the Quantity and Sort of such Wine, and the Number and Denomination of the Packages containing the same; and such Master shall also make and subscribe a Declaration before the Collector or Comptroller, that such Certificate was received by him at the *Cape of Good Hope*, and that the Wine so imported is the same as is mentioned therein.

Master to
declare to
Certificate.

Goods of
Guernsey,
Jersey, &c.

XLII. And be it enacted, That any Goods of the Growth of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and any Goods manufactured in the said Islands from Materials of the Growth of the said Islands, or from Materials not subject to Duty in the United Kingdom, or from Materials upon which the Duty has been paid in the United Kingdom, and upon which no Drawback has subsequently been granted, and any Manufactures of Linen or Cotton made in and imported from the *Isle of Man*, may be imported into the United Kingdom from the said Islands respectively, without Payment

Duty-free;

(1) See Cap. 93. § 93.

of any Duty; and that such Goods shall not be deemed to be included in any Charge of Duties imposed by any Act hereafter to be made on the Importation of Goods generally from Parts beyond the Seas: Provided always, that such Goods may nevertheless be charged with any Proportion of such Duties as shall fairly countervail any Duties of Excise (1), or any Coast Duty, payable on the like Goods the Produce of the Part of the United Kingdom into which they shall be imported, or payable upon any of the Materials from which such Goods are manufactured; provided also, that all Goods manufactured in any of the said Islands from any other Materials than the Materials aforesaid, except Manufactures of Linen and Cotton made in and imported from the *Isle of Man* as aforesaid, shall be deemed and taken to be Foreign Goods.

INWARDS.

Entry.

with Exceptions.

XLIII. And be it enacted, That before any Goods shall be entered as being the Produce of the said Islands (if any Benefit attach to such Distinction) the Master of the Ship or Vessel importing the same shall deliver to the Collector or Comptroller a Certificate from the Governor, Lieutenant Governor, or Commander in Chief of the Island from whence such Goods were imported, that Proof had been made, in manner required by Law (2), that such Goods were of the Produce of such Island, stating the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same; and such Master shall also make and subscribe a Declaration before the Collector or Comptroller, that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as are mentioned therein.

Master to deliver Certificate of Produce, and declare to Certificate.

XLIV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, when and so long as they shall see fit, to permit any Goods the Produce of the *British Possessions* or Fisheries in *North America*, which shall have been legally imported into the Islands of *Guernsey* or *Jersey* direct from such Possessions, to be imported into the United Kingdom for Home Use

Treasury may permit Produce of Colonial Fisheries to be imported from Guernsey.

(1) As to Duties of Excise upon Channel Islands Spirits, see 8 & 9 Vict. c. 65. § 1.

(2) See Cap. 93. § 94.; and as to Isle of Man, see Cap. 94. § 23.

INWARDS.

Entry.

direct from those Islands, under such Regulations as the said Commissioners shall direct, any thing in the Law of Navigation to the contrary notwithstanding. (1)

Vessels with
Stone from
Guernsey, &c.
not to be
piloted.

XLV. And be it enacted, That no Vessel arriving on the Coast of *England* from *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, wholly laden with Stone the Production thereof, shall be liable to be conducted or piloted by Pilots appointed and licensed by the Corporation of the Trinity House of *Deptford Strond*, any Law, Custom, or Usage to the contrary notwithstanding.

Fish, British
taking and
curing, and
Lobsters, free
of Duty on
Importation.

XLVI. And be it enacted, That fresh Fish of every Kind, of *British* taking and imported in *British* Ships, and fresh Lobsters, however taken or in whatever Ship imported, and cured Fish of every Kind, of *British* taking and curing, imported in *British* Ships, shall be imported free of all Duties, and shall not be deemed to be included in any Charge of Duty imposed by any Act hereafter to be made on the Importation of Goods generally: Provided always, that before any cured Fish shall be entered free of Duty, as being of such taking and curing, the Master of the Ship importing the same shall make and subscribe a Declaration before the Collector or Comptroller that such Fish was actually caught and taken in *British* Ships, and cured by the Crews of such Ships, or by Her Majesty's Subjects.

Declaration of
Master.

Certificate of
Blubber, Train
Oil, &c. British
Colonial taking.

XLVII. And be it enacted, That before any Blubber, Train Oil, Spermaceti, Oil, Head Matter, or Whale Fins shall be entered as being the Produce of Fish or Creatures living in the Sea, taken and caught wholly by Her Majesty's Subjects usually residing in some Part of Her Majesty's Dominions, and imported from some *British* Possession, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate under the Hand of the proper Officer of such *British* Possession where such Goods were taken on board, (or if no such Officer be residing there, then a Certificate under the Hands of Two principal Inhabitants at the Place of Shipment,) notifying that a Declaration had been made before him or them by the Shipper of such Goods, that the same were the Produce of Fish or Creatures living in

(1) See Cap. 88. § 3.

the Sea taken wholly by *British* Vessels owned and navigated according to Law; and such Master shall also make and subscribe a Declaration before the Collector or Comptroller that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as mentioned therein; and the Importer of such Goods shall also make and subscribe a Declaration before the Collector or Comptroller, at the Time of Entry, that to the best of his Knowledge and Belief the same were the Produce of Fish or Creatures living in the Sea taken wholly by *British* Vessels in manner aforesaid.

INWARDS.

Entry.

Declaration of
Master and
Importer.

XLVIII. And be it enacted, That before any Blubber, Train Oil, Spermaceti Oil, Head Matter, or Whale Fins, imported direct from the Fishery shall be entered as being the Produce of Fish or Creatures living in the Sea taken and caught wholly by the Crews of *British* Ships cleared out from the United Kingdom, or from any *British* Possession, the Master of such Ship importing such Goods shall make and subscribe a Declaration, and the Importer of such Goods (to the best of his Knowledge and Belief) shall make and subscribe a Declaration, that the same are the Produce of Fish or Creatures living in the Sea taken and caught wholly by the Crew of such Ship, or by the Crew of some other *British* Ship (naming the Ship) cleared out from the United Kingdom or from any *British* Possession (stating which of such Possessions).

Before Entry
of Blubber, &c.
of *British* fish-
ing, Master and
Importer to
make Declara-
tion of the
same.

XLIX. And be it enacted, That no Goods shall be deemed to be imported from any particular Place unless they be imported direct from such Place, and shall have been there laden on board the importing Ship, either as the first Shipment of such Goods, or after the same shall have been actually landed at such Place.

Importation
direct.

L. And be it enacted, That all Goods, Wares, and Merchandize the Property of the Crown shall, in case of the Sale thereof after Importation into the United Kingdom, be liable to and be charged with such and the same Duties of Customs as may be by Law payable or charged on the like Goods, Wares, and Merchandize not being the Property of the Crown.

Goods the Prop-
erty of the
Crown sold after
Importation
charged with
Duty.

INWARDS.

*Derelict and
wrecked Goods.*

Foreign Goods
derelict, &c. and
Droits of Ad-
miralty, to be
subject to same
Duties as on
Importation.

LI. And be it enacted, That all Foreign Goods, derelict, jetsam, flotsam (1), and wreck, brought or coming into the United Kingdom or into the *Isle of Man*, and all Droits of Admiralty sold in the United Kingdom, shall at all Times be subject to the same Duties as Goods of the like Kind imported into the United Kingdom or the *Isle of Man* respectively are subject to: Provided always, that if, for ascertaining the proper Amount of Duty so payable, any Question shall arise as to the Origin of any such Goods, the same shall be deemed to be of the Growth, Produce, or Manufacture of such Country or Place as the Commissioners of Her Majesty's Customs shall, upon Investigation by them, determine.

An Abatement
of Duty to be
made in respect
of certain
wrecked Goods
damaged; but
no such Abate-
ment to be
made in respect
of the Goods
herein stated.

LII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs, or for the Officers of Customs acting under their Directions, to inquire into and receive Proof of the Extent to which any such Goods may have been damaged, and to make such Abatement of the Duties payable thereon as to them shall appear to bear a just Proportion to the Damage so ascertained: Provided always, that no such Abatement shall be made in respect of any of the Goods following; (that is to say,)

Cantharides,	Oranges,
Cocoa,	Pepper,
Coculus Indicus,	Raisins,
Coffee,	Rhubarb,
Currants,	Sarsaparilla,
Figs,	Senna,
Guinea Grains,	Spirits,
Ipecacuanha,	Sugar,
Jalap,	Tea,
Lemons,	Tobacco, and
Nux Vomica,	Wine.
Opium,	

Persons having
such Goods in
possession,
without giving
Notice, &c.
liable to a
Penalty of 100*l*.

LIII. And be it enacted, That if any Person shall have Possession of any Foreign Goods, derelict, jetsam, flotsam, or wreck, either on Land or within any Port in the United Kingdom, and shall not give Notice thereof to the proper Officer of the Customs within Twenty-four Hours after

(1) Spirits in small Casks floating at Sea may not be taken up except by Officers. See Cap. 87. § 78.

such Possession, or shall not on demand pay the Duties due thereon, or deliver the same into the Custody of the proper Officer of the Customs, such Person shall forfeit the Sum of One hundred Pounds; and if any Person shall remove or alter in Quantity or Quality any such Goods, or shall open or alter any Package containing any such Goods, or shall cause any such Act to be done, or assist therein, before such Goods shall be deposited in a Warehouse in the Custody of an Officer of the Customs, every such Person shall forfeit the Sum of One hundred Pounds; and in default of the Payment of the Duties on such Goods within Eighteen Months from the Time when the same were so deposited, the same may be sold in like Manner and for the like Purposes as Goods imported may in such Default be sold: Provided always, that any Lord of the Manor having by Law just Claim to such Goods, or if there be no such Lord of the Manor, then the Person having Possession of the same, shall be at liberty to retain the same in his own Custody, giving Bond, with Two sufficient Sureties, to be approved by the proper Officer of the Customs, in Treble the Value of such Goods, for the Payment of the Duties thereon at the End of One Year and One Day, or to deliver such Goods to the proper Officer of the Customs in the same State and Condition as the same were in at the Time of taking possession thereof.

INWARDS.

Derelict and
wrecked Goods.

Lord of Manor
or Salvor may
retain such
Goods on giving
Bond for Pay-
ment of Duties.

LIV. And whereas such Goods, if not claimed by the Owner within the Period limited by Law, belong of right to Her Majesty in Her Office of Admiralty, but by reason of the Smallness of their Value would, if prosecuted to Condemnation in the High Court of Admiralty in *England* and *Ireland* respectively, be wholly unproductive; be it therefore enacted, That whenever any such Goods, whether picked up at Sea or on the Shore within the Flow of the Sea, shall be reported to the Officers of the Customs, Notice thereof shall be forthwith given by them, if in *Great Britain* or the *Isle of Man*, to the Receiver General of Droits of Admiralty, and if in *Ireland* to the Queen's Proctor of Admiralty; and all such Goods shall be placed at their Disposal respectively, as the Case may be, subject, however, to the Payment of the Duties with which they shall be respectively chargeable; and in case the rightful Owner thereof shall prove his Claim thereto to the Satisfaction of the said Receiver General or Queen's Proctor, as the Case may be, within the Period of Twelve

Goods reported
to Customs as
jetsam, &c., and
not claimed
within Twelve
Months, to be
deemed con-
demned as
Droits of Ad-
miralty.

In case of satis-
factory Claim.

INWARDS.

*Derelict and
wrecked Goods.*

—

Calendar Months from the Day on which they shall be so reported, such Goods shall be restored to the Owner on Payment of the Duties and necessary Charges attending the Care of the same, and a reasonable Compensation to the Amount of One Third of the net Value (after abating the Duties and Charges aforesaid) to the Salvors thereof; but if no such Claim shall be established within the Period aforesaid, then such Goods shall be deemed and taken to be condemned to Her Majesty as Droits of Admiralty, and may be sold by the said Receiver General or Queen's Proctor, without any Process from the High Courts of Admiralty respectively, and the net Proceeds thereof, after Payment of Duties, Salvage, and other Charges as aforesaid, shall be disposed of by them respectively, and carried to the Credit of the Consolidated Fund, in like Manner as Droits of Admiralty are by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, for the Support of His Majesty's Household, and the Honour and Dignity of the Crown, directed to be applied, any thing in any Act or Acts contained, or any Law, Statute, or Usage, to the contrary thereof notwithstanding.

*Particular
Regulations.*

—
Goods under
Excise Permit
Regulations.

LV. And whereas it may be expedient to subject some Sorts of Goods imported into the United Kingdom to certain internal Regulations and Restraints after the full Duties of Customs have been paid thereon, and to place such Regulations and Restraints under the Management of the Commissioners of Excise; be it therefore enacted, That no Goods which are subject to any Regulations of Excise shall be taken or delivered out of the Charge of the Officers of Customs (although the same may have been duly entered with them, and the full Duties due thereon may have been paid,) until such Goods shall also have been duly entered with the Officers of Excise, and Permit, where such Permit is by Law required, granted by them for Delivery of the same, nor unless such Permit shall correspond in all Particulars with the Warrant of the Officers of the Customs: Provided always, that such Entry shall not be received by the Officers of the Excise, nor such Permit granted by them, until a Certificate shall have been produced to them of the Particulars of the Goods, and of the Warrant (1) for the same, under the Hand of

(1) See Warrant, § 18.

the Officers of the Customs, who shall have the Charge of the Goods: Provided also, that if upon any Occasion it shall appear necessary it shall be lawful for the proper Officers of Excise to attend the Delivery of such Goods by the Officers of the Customs, and to require that such Goods shall be delivered only in their Presence; and it shall be lawful for such Officers of Excise to count, measure, gauge, or weigh any such Goods, and fully to examine the same, and to proceed in all respects relating to such Goods in such Manner as they shall be authorized or required by any Act for the Time being in force relating to the Excise.

INWARDS.

—
Particular
Regulations.

—
Officers of Ex-
cise may attend
Delivery.

LVI. And whereas by the Laws now in force certain Articles subject to an Inland Duty of Excise are required to be stamped, to denote the Payment of such Duty; and to prevent Fraud in the Evasion of such Duty it is expedient that Foreign Articles of a similar Description, when imported into the United Kingdom, should be stamped with such Mark or Stamp as the Commissioners of Her Majesty's Customs may deem necessary, in order to distinguish the Foreign from the *British* Article; be it therefore enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Customs, and they are hereby authorized, after any Goods have been entered at the Custom House, and before the same shall be discharged by the Officers, and delivered into the Custody of the Importer or his Agent, to mark or stamp such Goods in such Manner and Form as they may deem fit and proper for the Security of the Revenue, and by such Officer as they shall direct and appoint for that Purpose.

Commissioners
of Customs may
direct certain
Goods to be
stamped.

LVII. And be it enacted, That every Order made by the said Commissioners of Her Majesty's Customs in respect of marking or stamping any Goods shall be published in the *London Gazette* and *Dublin Gazette*.

Orders for
stamping Goods
to be published.

LVIII. And be it enacted, That if any Person or Persons shall at any Time forge or counterfeit any Mark or Stamp to resemble any Mark or Stamp which shall be provided and used for the Purposes of this Act, or shall forge or counterfeit the Impression of any such Mark or Stamp, or shall sell or expose to Sale, or have in his, her, or their Custody or Possession, any Goods with a counterfeit Mark or Stamp, knowing the same to be counterfeit,

Penalty on
forging such
Stamps, 200*l*.

INWARDS.

Particular
Regulations.

or shall use or affix any such Mark or Stamp to any other Goods required to be stamped as aforesaid other than that to which the same was originally affixed, all and every such Offender or Offenders, and his, her, or their Aiders, Abettors, and Assistants, shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

Times and
Places for land-
ing Goods.

LIX. And be it enacted, That no Goods whatever (except Diamonds, Bullion, fresh Fish of *British* taking and imported in *British* Ships, and Lobsters (1), shall be unshipped from any Ship arriving from Parts beyond the Seas, or landed or put on shore, but only on Days not being *Sundays* or *Holidays* (2), and in the Daytime, (that is to say,) from the First Day of *September* until the last Day of *March* between Sun-rising and Sun-setting, and from the last Day of *March* to the First Day of *September* between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any Goods, except as aforesaid, be so unshipped or landed unless in the Presence or with the Authority of the proper Officer of the Customs; and such Goods, except as aforesaid, shall be landed at one of the legal Quays (3) appointed for the landing of Goods, or at some Wharf, Quay, or Place appointed by the Commissioners of Her Majesty's Customs for the landing of Goods by Sufferance (4); and that no Goods, except as aforesaid, after having been unshipped, shall be transhipped, or after having been put into any Boat or Craft to be landed shall be removed into any other Boat or Craft previously to their being duly landed, without the Permission or Authority of the proper Officer of the Customs. (5)

Goods to be
unshipped, &c.
at the Expence
of Importer.

LX. And be it enacted, That the unshipping, carrying, and landing of all Goods, and the bringing of the same to the proper Place after landing, for Examination or for weighing, and the putting the same into the Scales, and the taking of the same out of and from the Scales after weighing, shall be performed by or at the Expence of the Importer.

(1) See § 2.

(2) See Cap. 85. § 13.

(3) See § 153.

(4) See § 155.

(5) Goods are not to be unshipped from the importing Vessel or carried to the Quay contrary to the Regulations of the Commissioners of Customs, § 13.

LXI. And be it enacted, That the Times, Places, and Manner of landing Foreign Fish imported into the United Kingdom, and of reporting and entering the same, and of paying the Duties due thereon, shall be subject to such Regulations and Directions as the Commissioners of Her Majesty's Customs shall from Time to Time make respecting the same; and that all Foreign Fish unladen from any Vessel contrary to any such Regulations and Directions shall be forfeited.

INWARDS.

—
*Particular
 Regulations.*

—
 Foreign Fish to be landed and entered under the Directions of the Commissioners of Customs.

LXII. And be it enacted, That the Importer or Person entering Timber or Wood to be charged with Duty by Measurement shall, at his Expence, sort, pile, frame, or otherwise place the same in such Manner as the Commissioners of Her Majesty's Customs may deem necessary to enable the Officers to measure and take a true and correct Account thereof; and that in all such Cases, when the same is measured in Bulk, the Measurement shall be taken to the full Extent of the Pile, and that no Allowance shall be made by the Officers on account of the Interstices arising out of such Process of sorting, piling, framing, or placing: Provided always, that all Battens, Boards, Deals, and Planks, exceeding Twenty-one Feet in Length, may be measured by the Piece, and the Account thereof taken separately.

Timber to be piled at the Expence of the Importer, so as to enable the Officer of Customs to measure it.

LXIII. And be it enacted, That the several Sorts of Goods enumerated or described in the Table following, denominated "A Table of Prohibitions and Restrictions Inwards," shall either be absolutely prohibited to be imported into the United Kingdom, or shall be imported only under the Restrictions mentioned in such Table, according as the several Sorts of such Goods are respectively set forth therein; (that is to say,) (1)

*Prohibitions and
 Restrictions.*

—
 Prohibitions and Restrictions, absolute or modified.

A TABLE OF PROHIBITIONS AND RESTRICTIONS INWARDS.

A LIST of GOODS absolutely PROHIBITED to be IMPORTED.

Arms, Ammunition, and Utensils of War, by way of Merchandize, except by Licence from Her Majesty, for furnishing Her Majesty's public Stores only.

(1) See §§ 64, 65. as to warehousing prohibited Goods. See also the Navigation Act, Cap. 88., as to other Prohibitions and Restrictions.

INWARDS.

*Prohibitions and
Restrictions.*

Articles of Foreign Manufacture, and any Packages of such Articles, bearing any Names, Brands, or Marks purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom.

Books, wherein the Copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, as to which the Proprietor of such Copyright or his Agent shall have given to the Commissioners of Customs a Notice in Writing that such Copyright subsists, such Notice also stating when such Copyright will expire. (1)

Paper printed on in the *English* Language.

Clocks and Watches of any Metal impressed with any Mark or Stamp appearing to be or to represent any legal *British* Assay Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom, not having the Name and Place of Abode of some Foreign Maker abroad visible and permanently engraved on the Frame and also on the Face, or not being in a complete State, with all the Parts properly fixed in the Case.

Coin; *viz.*

— False Money or counterfeit Sterling.

— Silver, of the Realm, or any Money purporting to be such, not being of the established Standard in Weight or Fineness.

Goods from the *Isle of Man*, except such as be of the Growth, Produce, or Manufacture thereof, or of the United Kingdom, and except Corn, Grain, Meal, or Flour.

Gunpowder, except by Licence from Her Majesty, such Licence to be granted for furnishing Her Majesty's Stores only.

Malt.

Snuff-work.

Spirits from the *Isle of Man*.

Tobacco Stalks stripped from the Leaf, whether manufactured or not.

Tobacco Stalk Flour.

(1) See § 144.

LIST of GOODS subject to certain RESTRICTIONS on
IMPORTATION.

INWARDS.

Prohibitions and
Restrictions.

Fish of Foreign taking, and all Train Oil, Blubber, Spermaceti Oil, Head Matter, Skins, Bones, and Fins, the Produce of Fish or Creatures living in the Sea, except Anchovies, Eels, Turbots, and Lobsters, unless in Vessels which shall have been cleared out regularly with such Fish on board from some Foreign Port.

Goods of Places within the Limits of the *East India* Company's Charter, unless into Ports approved of by the Lords of the Treasury, and declared by Order in Council to be fit and proper for such Importation.

Gloves of Leather, unless in Ships of Sixty Tons Burden or upwards, and in Packages each containing One hundred Dozen Pairs of such Gloves at least.

Hides, Skins, Horns, or Hoofs, or any other Part of Cattle or Beast, Her Majesty may by Order in Council prohibit, in order to prevent any contagious Distemper.

Parts of Articles; *viz.*

— Any distinct or separate Part of any Article not accompanied by the other Part or all the other Parts of such Article, so as to be complete and perfect, if such Article be subject to Duty according to the Value thereof.

Silk; *viz.*

— Manufactures of Silk, being the Manufactures of *Europe*, unless into the Ports of *London*, *Liverpool*, *Hull*, or *Southampton*, or Ports appointed by the Commissioners of Her Majesty's Treasury, or into the Port of *Dublin* direct from *Bordeaux*, or into the Port of *Dover* direct from *Calais* or *Boulogne*, and unless in Ships of Sixty Tons Burden or upwards.

Spirits, not being perfumed or medicinal Spirits, unless in Ships of Sixty Tons Burden at least.

— also unless in Casks or other Vessels capable of containing Liquids, each of such Casks or other Vessels being of the Size or Content of Twenty Gallons at the least, or in Glass Bottles or Stone Bottles not exceeding the Size of Quart Bottles, and being really Part of the Cargo of the Ship in which the same are imported, and included in the Manifest or other Papers enumerating or descriptive of the Cargo thereof. (1)

(1) See Cap. 87. §§ 2, 3.

INWARDS.

Prohibitions and
Restrictions.

Tea, unless from the *Cape of Good Hope*, or from Places Eastward of the same to the *Straits of Magellan*.

Tobacco and Snuff; *viz.*

— unless in Ships of One hundred and twenty Tons Burden or upwards.

— also unless in Hogsheads, Casks, Chests, or Cases containing Three hundred Pounds Weight of Tobacco or Snuff each at least, not being separated or divided in any Manner within the Cask or Package; except that Tobacco of the Dominions of the *Turkish Empire* may be packed in inward Bags or Packages, or separated or divided in any Manner, provided the outward Package be a Hogshead, Cask, Chest, or Case containing at least Three hundred Pounds net Weight of Tobacco. (1)

— Tobacco and Snuff from the *East Indies*, unless in Hogsheads, Casks, Chests, or Cases, each of which shall contain at least One hundred Pounds net Weight of Tobacco or Snuff.

— Cigars, unless in Packages containing One hundred Pounds Weight of Cigars at least.

— Tobacco the Produce of *Mexico*, or the Produce of *South America* or the Islands of *Saint Domingo* or *Cuba*, imported direct from those Places respectively, or from the Warehouse in *Jamaica*, or some other *British Possession in America*, unless in Packages each containing at least Eighty Pounds net Weight of such Tobacco.

— Negrohead Tobacco the Produce of and imported from the United States of *America* in Packages each containing at least One hundred and fifty Pounds net Weight of such Tobacco.

— and unless into the Ports of *London, Liverpool, Bristol, Lancaster, Cowes, Falmouth, Whitehaven, Hull Port Glasgow, Greenock, Glasgow, Aberdeen, Leith, Newcastle-upon-Tyne, Plymouth, Belfast, Cork, Drogheda, Dublin, Galway, Limerick, Londonderry, Newry, Sligo, Waterford, and Wexford* (2);

— or into some other Port or Ports which may hereafter be appointed for such Purpose by the Commissioners of Her Majesty's Treasury;

(1) See Cap. 87. §§ 2, 3.

(2) As to Removal for the Use of the Navy, see §§ 107, 108, 109. See also Cap. 91. § 25.

such Appointments in *Great Britain* being published in the *London Gazette*, and such Appointment in *Ireland* being published in the *Dublin Gazette* ;

INWARDS.
—
Prohibitions and Restrictions.
—

— but any Ship wholly laden with Tobacco may come into the Ports of *Cowes* or *Falmouth* to wait for Orders, and there remain Fourteen Days, provided due Report of such Ship be made by the Master with the Collector or Comptroller of such Port.

And if any Goods shall be imported or brought into the United Kingdom contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited. (1)

Forfeiture.

LXIV. Provided always, and be it enacted, That any Goods, of whatsoever Sort, may be imported into the United Kingdom to be warehoused under the Regulations of any Act in force for the Time being for the warehousing of Goods (2), without Payment of Duty at the Time of the first Entry thereof, or notwithstanding that such Goods may be prohibited to be imported into the United Kingdom to be used therein, except the several Sorts of Goods enumerated or described in manner following ; (that is to say,) Goods prohibited on account of the Package in which they are contained, or the Tonnage of the Ship in which they are laden ; Arms, Ammunition, or Utensils of War ; Gunpowder ; infected Hides, Horns, Hoofs, Skins, or any other Part of any Cattle or Beast ; counterfeit Coin or Tokens ; Books, wherein the Copyright will be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, as to which the Proprietor of such Copyright or his Agent shall have given to the Commissioners of Her Majesty's Customs a Notice in Writing that such Copyright subsists, such Notice also stating when such Copyright will expire ; Copies of Prints first engraved, etched, drawn, or designed in the United Kingdom ; Copies of Casts of Sculptures or Models first made in the United Kingdom ; Clocks or Watches, being such as are prohibited to be imported for Home Use. (3)

But Goods may be warehoused for Exportation only, although prohibited.

Exceptions.

(1) See § 146. See also Cap. 87. § 33.

(2) Viz. Cap. 91.

(3) See foregoing Table.

INWARDS.

Prohibitions and Restrictions.

Certain Goods to be entered to be warehoused for Exportation only.

LXV. And be it enacted, That if by reason of the Sort of any Goods, or of the Place from whence or the Country or Navigation of the Ship in which any Goods have been imported, they be such or be so imported as that they may not be used in the United Kingdom, they shall not be entered except to be warehoused, and it shall be declared upon the Entry of such Goods that they are entered to be warehoused for Exportation only. (1)

OUTWARDS.

General Provision.

Goods not to be shipped till Entry of Ship and Entry of Goods and Cocket granted, nor till cleared;

nor Stores without Victualling Bill.

Proper Times and Places and Officers.

Forfeiture.

Ships to be cleared, or

LXVI. And whereas it is expedient that the Officers of Customs should have full Cognizance of all Ships departing from any Port or Place in the United Kingdom or in the *Isle of Man* for Parts beyond the Seas, and of all Goods taken out of the United Kingdom or out of the *Isle of Man*; and it is therefore necessary to make Regulations for the entering and clearing Outwards of all such Ships, and for the entering, clearing, and shipping of all such Goods; be it therefore enacted, That no Goods shall be shipped, or waterborne to be shipped, on board any Ship in any Port or Place in the United Kingdom or in the *Isle of Man*, to be carried to Parts beyond the Seas, before due Entry Outwards of such Ship (2) and due Entry of such Goods (3) shall have been made, and Cocket granted (4), nor before such Goods shall have been duly cleared for Shipment in manner herein-after directed (5); and that no Stores shall be shipped for the Use of any such Ship bound to Parts beyond the Seas, nor shall any Goods be deemed or admitted to be such Stores, except such as shall be borne upon the Victualling Bill (6) duly granted for such Ship; and that no Goods shall be so shipped, or waterborne to be so shipped, except at such Times and Places (7), and in such Manner, and by such Persons, and under the Care of such Officers (8), as is and are herein-after directed; and all Goods and Stores which shall be shipped, or be waterborne to be shipped, contrary hereto, shall be forfeited. (9)

LXVII. And be it enacted, That no Ship on board of which any Goods or Stores shall have been shipped in any

(1) See §§ 63, 64. See also Cap. 88. § 22.

(3) See § 70.

(4) See § 70.

(6) See § 68.

(7) See § 110.

(9) See § 69. for Penalty on Master.

(2) See § 69.

(5) See § 78.

(8) See §§ 102, 110.

Port in the United Kingdom or in the *Isle of Man* for Parts beyond the Seas shall depart from such Port until such Ship shall have been duly cleared Outwards for her intended Voyage in manner herein-after directed (1), under Forfeiture of the Sum of One hundred Pounds by the Master of such Ship.

OUTWARDS.

—
General
Provision.

—
Master to forfeit 100*l*.

LXVIII. And be it enacted, That the Master of every Ship which is to depart from any Port in the United Kingdom or in the *Isle of Man* for Parts beyond the Seas shall, upon due Application made by him, receive from the Searcher a Victualling Bill for the Shipment of such Stores as he shall require, and as shall be allowed by the Collector and Comptroller, for the Use of such Ship, according to the Voyage upon which she is about to depart (2); and that no Articles taken on board any Ship shall be deemed to be Stores except such as shall be borne upon the Victualling Bill for the same.

Victualling Bill
for Stores.

LXIX. And be it enacted, That the Master of every Ship in which any Goods are to be exported from the United Kingdom or from the *Isle of Man* to Parts beyond the Seas shall, before any Goods be taken on board (3), deliver to the Collector or Comptroller a Certificate from the proper Officer of the Clearance Inwards or Coastwise (4) of such Ship of her last Voyage, specifying what Goods, if any, have been reported Inwards for Exportation (5), and shall also deliver to the Collector or Comptroller an Account, signed by the Master or his Agent, of the Entry Outwards of such Ship for her intended Voyage, setting forth the Name and Tonnage of the Ship, the Name of the Place to which she belongs if a *British* Ship, or of the Country if a Foreign Ship, the Name of the Master, and the Name or Names of the Place or Places for which she is bound, if any Goods are to be shipped for the same, and the Name of the Place in such Port at which she is to take in her Lading for such

Ship's Entry.

—
Master to deliver Certificate of Clearance of last Voyage, and to make Entry Outwards.

Particulars of
Entry.

(1) See §§ 86. 88.

(2) See § 35. as to Stores of former Voyages. See also Cap. 91. §§ 16. 19. 20. 35.

(3) If a new Ship, the Name must be first painted. See Cap. 89. § 27.

(4) Coals may remain on board. See § 80.

(5) As to Clearance of Ship Outwards, see §§ 86. 88. 90.

OUTWARDS. — <i>Ship's Entry.</i> —	Voyage; and if such Ship shall have commenced her Lading at some other Port, the Master shall state the Name of any Port at which any Goods have been laden, and shall produce a Certificate from the Searcher that the Cockets for such Goods have been delivered to him; and the Particulars of such Account shall be written and arranged in such Form and Manner as the Collector and Comptroller shall require; and such Account shall be the Entry Outwards of such Ship, and shall be entered in a Book to be kept by the Collector for the Information of all Parties interested; and if any Goods be taken on board any Ship before she shall have been entered Outwards, the Master shall forfeit the Sum of One hundred Pounds: Provided always, that where it shall become necessary to lade any heavy Goods on board any Ship before the whole of the Inward Cargo is discharged, it shall be lawful for the Collector and Comptroller to issue a Stiffning Order for that Purpose, previous to the Entry Outwards of the Ship.
Penalty on Master.	
Stiffning Order.	

Entry of Goods. — Bill of the Entry to be delivered.	LXX. And be it enacted, That the Person entering Outwards any Goods to be exported to Parts beyond the Seas from any Port in the United Kingdom or in the <i>Isle of Man</i> shall deliver to the Collector or Comptroller a Bill of the Entry thereof, fairly written, or fairly written in part and fairly printed in part, in Words at Length, expressing the Name of the Ship and of the Master, and of the Place to which the Goods are to be exported, and of the Person in whose Name the Goods are to be entered, and the Quantities and proper Denominations or Descriptions of the several Sorts of Goods, and shall pay down any Duties which may be due upon the Exportation of any such Goods; and such Person shall also deliver at the same Time One or more Duplicates of such Bill, in which all Sums and Numbers may be expressed in Figures; and the Particulars to be contained in such Bill shall be arranged in such Form and Manner, and the Number of such Duplicates shall be such as the Collector and Comptroller shall require; and thereupon the Collector and Comptroller shall cause a Cocket to be written for such Goods, making it known that such Goods have been so entered; and every Cocket shall be signed by such Collector and Comptroller, and be delivered to the Person who shall have made such Entry, and such
Particulars.	
Payment of Duties.	
Cocket to be granted.	
Person entering Goods responsible for Use of Cocket.	

Person shall keep and be responsible for the proper Use of the same. (1)

OUTWARDS.

Entry of Goods.

LXXI. And be it enacted, That if any Drawback or Bounty be allowable upon the Exportation of any such Goods, or any Duty be payable thereon, or any Exemption from Duty claimed, or if any such Goods be exportable only according to some particular Rule or Regulation, or under some Restriction or Condition, or for some particular Purpose or Destination, such Goods shall be entered and cleared for Shipment by such Denominations or Descriptions as are used, mentioned, or referred to in the granting of such Drawback or Bounty, or in the levying of such Duty, or granting such Exemption, or in the directing of such Rules, Regulations, Restrictions, Conditions, Purpose, or Destination.

Goods for
Drawback or
Bounty.
Duty Goods.
Goods under
Restriction.

LXXII. And be it enacted, That the Person intending to enter Outwards any Foreign Goods for Drawback, at any other Port than that at which the Duties Inwards on such Goods had been paid, shall first deliver to the Collector or Comptroller of the Port where the Duties on such Goods were paid Two or more Bills, as the Case may require, of the Particulars of the Importation of such Goods, and of the Entry Outwards intended to be made; and thereupon the Collector and Comptroller, finding such Bills to agree with the Entry Inwards, shall write off such Goods from the same, and shall issue a Certificate of such Entry, with such Particulars thereof as shall be necessary for the Computation of the Drawback allowable on such Goods, and setting forth in such Certificate the Destination of the Goods, and the Person in whose Name they are to be entered for Exportation, and also the Name of such other Port; and such Certificate, together with Two or more Bills of the same, as the Case may require, in which all Sums and Numbers may be expressed in Figures, being delivered to the Collector or Comptroller of the Port from which the Goods are to be exported, shall be the Entry Outwards of such Goods; and such Collector and Comptroller shall thereupon cause a Cocket to be written and delivered for such Goods, in manner herein-before directed. (2)

Manner of
Entry for
Drawback on
Goods at a
different Port
from that of
Importation.

(1) As to separate Shipments, see § 79.; and as to final Delivery of Cockets to Searcher, see § 86.

(2) See § 70.

OUTWARDS.

Entry of Goods.

No Drawback on Tobacco not properly manufactured; and Penalty on Persons fraudulently attempting to obtain Drawback.

LXXIII. And be it enacted, That no Drawback shall be allowed on any Tobacco which shall not have been wholly manufactured from Tobacco on which the full Duty on Importation shall have been paid, nor on any Tobacco which shall be mixed with Dirt or Rubbish or any other Ingredients; and every Person who shall enter or ship, or cause to be entered or shipped, or produce or cause to be produced to any Officer of Customs to be shipped, for Exportation or for Stores, any Tobacco not entitled to Drawback, with Intent unduly to obtain any Drawback thereon, or any greater Drawback than he would otherwise be entitled to, shall, over and above all other Penalties which he may thereby incur, forfeit Treble the Amount of the Drawback sought to be obtained, or Two hundred Pounds, at the Election of the Commissioners of Customs; and all such Tobacco shall be forfeited, and may be seized by any Officer of Customs or Excise.

Goods not entitled to Drawback if of less Value than claimed.

Penalty for Entry of such Goods.

LXXIV. And be it enacted, That no Drawback shall be allowed upon the Exportation of any Goods entered for Drawback or as Stores which shall be of less Value than the Amount of the Drawback claimed, and that all such Goods so entered shall be forfeited, and that the Person who caused such Goods to be entered shall forfeit the Sum of Two hundred Pounds, or Treble the Amount of the Drawback claimed in such Case, at the Election of the Commissioners of Her Majesty's Customs.

On Entry Outwards of Goods entitled to Drawback, Bond for due exporting shall be given.

LXXV. And be it enacted, That upon the Entry Outwards of any Goods, except Wine, upon which a Drawback of the Duties paid upon the Importation thereof is allowed, and before Cocket is granted, the Person in whose Name the same are entered shall give Security by Bond in Double the Amount of such Duties, with One sufficient Surety, that such Goods shall be duly shipped and exported to and shall be landed at the Place for which they shall be entered Outwards, or otherwise accounted for to the Satisfaction of the Commissioners of Her Majesty's Customs, within a reasonable Time, to be fixed by the said Commissioners with reference to the Place of Exportation.

Stamp on Plate Bond reduced.

LXXVI. And be it enacted, That all Bonds given to prevent the relanding of Plate in respect of which any Drawback shall be allowed upon the Exportation thereof

shall be liable only to the same Duties of Stamps as any Bonds given for or in respect of the Duties of Customs, or for preventing Frauds or Evasions thereof, are or shall be liable to under any Act for the Time being in force for granting Duties of Stamps.

OUTWARDS.

Entry of Goods.

LXXVII. And be it enacted, That no Cocket shall be granted for the Exportation of any Coals to any *British* Possession in a Foreign Ship until the Exporter thereof shall have given Security by Bond in a penal Sum of Double the Amount of the Duty payable on the Exportation of such Coals, with Condition that the same shall be landed at the Place for which they shall be exported (1), or otherwise accounted for to the Satisfaction of the Commissioners of the Customs, and also with Condition to produce, within such Time as the said Commissioners shall require, to be expressed in such Bond, a Certificate of the landing of such Coals at such Place, under the Hand of the Collector or Comptroller or other proper Officer at such Place: Provided always, that the Bond so to be given in respect of Coals shall not be liable to any Duty of Stamps.

Coals, Export
Bond to British
Possessions.

LXXVIII. And be it enacted, That before any Part of the Goods for which any Cocket shall have been granted shall be shipped, or waterborne to be shipped, the same shall be duly cleared for Shipment with the Searcher; the Particulars of the Goods for each Clearance shall be endorsed on such Cocket, together with the Number and Denomination or Description of the respective Packages containing the same; and in the Margin of each such Endorsement shall be delineated the respective Marks and Numbers of such Packages; and to each such Endorsement shall be subjoined in Words at Length an Account of the total Quantities of each Sort of Goods intended in such Endorsement, and the total Number of each Sort of Package in which such Goods are contained, distinguishing such Goods, if any, as are to be cleared for any Bounty or Drawback of Excise or Customs, and also such Goods, if any, as are subject to any Duty on Exportation, or entitled to any Exemption from such Duty, and also such Goods, if any, as can only be exported by virtue of some particular Order or Authority, or under some particular Restriction

Clearance of
Goods.Packages to be
endorsed on
Cocket.Marks and
Numbers, and
total Quantities.Bounty, Draw-
back, or Duty
Goods, or
Goods under
particular Con-
ditions.

(1) As to Re-exportation from thence, see Cap. 93. § 98.

Goods not
cleared for-
feited.

or Condition, or for some particular Purpose or Destination; and all Goods shipped, or waterborne to be shipped, not being duly cleared as aforesaid, shall be forfeited.

Cocket pro-
duced for each
Shipment;

LXXIX. And be it enacted, That the Person clearing such Goods for Shipment (1) shall upon each Occasion produce the Cocket so endorsed to the Searcher, and shall also deliver a Shipping Bill, or Copy of such Endorsement, referring by Names and Date to the Cocket upon which such Endorsement is made, and shall obtain the Order of the Searcher for the Shipment of such Goods; and the Particulars to be contained in such Endorsement and in such Shipping Bill shall be written and arranged in such Form and Manner as the Collector and Comptroller shall require.

Shipping Bill;

Order of
Searcher for
Shipment.

Coals brought
Coastwise may
be exported
without land-
ing.

LXXX. And be it enacted, That if any Coals shall have been brought Coastwise from one Port of the United Kingdom to another, and the Master shall be minded to proceed with such Coals or any Part of them to Parts beyond the Seas, it shall be lawful for such Master to enter such Ship and such Coals Outwards for the intended Voyage without first landing the Coals intended for Exportation, provided the Officers of the Customs shall be satisfied that the Quantity of Coals left on board does not exceed the Quantity so entered Outwards.

Account of
Value of Ex-
ports to be de-
livered to the
Searcher.

LXXXI. And be it enacted, That upon the Clearance for Shipment of any Goods the Produce or Manufacture of the United Kingdom an Account containing an accurate Specification of the Quantity, Quality, and Value of such Goods, together with a Declaration to the Truth of the same, signed by the Exporter or his known Agent, shall be delivered to the Searcher by the Person clearing such Goods; and if such Declaration be false the Person signing the same shall forfeit the Sum of Twenty Pounds; and that it shall be lawful for the Searcher to call for the Invoice, Bills of Parcels, and such other Documents relating to the Goods as he may think necessary for ascertaining the true Value of the same: Provided always, that if such Exporter or Agent shall make and subscribe a Declaration before the Collector or Comptroller, that the Value of the Goods cannot be ascertained in Time for the

(1) As to Custody of Cocket, see § 70.

Shipment of the same, and such Declaration shall be delivered to the Searcher at the Time of Clearance, a further Time of Three Months shall be allowed for the Delivery of such separate Shipping Bill, on failure whereof such Exporter or Agent shall forfeit the Sum of Twenty Pounds.

OUTWARDS.

—
Clearance of
Goods.
—

LXXXII. And be it enacted, That no Drawback of Excise shall be allowed upon any Goods so cleared unless the Person intending to claim such Drawback shall have given due Notice to the Officer of Excise, in form and manner required by any Law in force relating to the Excise, and shall have obtained and have produced to the Searcher at the Time of clearing such Goods a proper Document under the Hand of the Officer of Excise, containing the necessary Description of the Goods for which such Drawback is to be claimed; and if the Goods to be cleared and shipped under the Care of the Searchers shall, upon Examination, be found to correspond in all respects with the Particulars of the Goods contained in such Document, and such Goods shall be duly shipped and exported, the Searcher shall, if required, certify such Shipment upon such Document, and shall transmit the same to the Officer of Excise.

Goods for Ex-
cise Drawback.Notice to Offi-
cer of Excise.Excise Order
to Searcher.Shipment cer-
tified.

LXXXIII. And be it enacted, That it shall be lawful for the Officer of Excise, if he see fit, to attend and assist at such Examination, and to mark or seal the Packages, and to keep joint Charge of the same, together with the Searcher, until the same shall have been finally delivered by him into the sole Charge of the Searcher, to be shipped and exported under his Care.

Officer of Ex-
cise may attend
Examination.

LXXXIV. And be it enacted, That if any Goods which are subject to any Duty or Restriction in respect of Exportation, or if any Goods which are to be shipped for any Drawback or Bounty, shall be brought to any Quay, Wharf, or other Place, to be shipped for Exportation, and such Goods shall not agree with the Endorsement on the Cocket, or with the Shipping Bill, the same shall be forfeited; and if any Goods prohibited to be exported be found in any Package brought as aforesaid, such Package and every thing contained therein shall be forfeited. (1)

Goods for Duty,
Bounty, or
Drawback,
&c. brought for
Shipment.

(1) See § 112., and Cap. 87. § 32.

OUTWARDS.

Clearance of
Goods.

Searcher may
open any Pack-
age; but if
correct, must
repack.

LXXXV. And be it enacted, That it shall be lawful for the Searcher to open all Packages, and fully to examine all Goods shipped or brought for Shipment at any Place in the United Kingdom or in the *Isle of Man*; and if the Goods so examined shall be found to correspond in all respects with the Cocket and Clearance purporting to be for the same, such Goods shall be repacked at the Charge of such Searcher, who may be allowed such Charge by the Commissioners of the Customs, if they shall see fit so to do.

Clearance of
Ship.

Content to be
delivered to
Searcher.

Particulars.

Cockets to be
delivered by
Shippers to
Searcher to be
filed.

Master to de-
clare to Con-
tent.

Clearance noti-
fied on Content,

LXXXVI. And be it enacted, That before any Ship shall be cleared Outwards at any Port in the United Kingdom or in the *Isle of Man*, for Parts beyond the Seas, with any Goods shipped on board the same in such Port, the Master shall deliver a Content of such Ship to the Searcher, setting forth the Name and Tonnage of such Ship, and the Place or Places of her Destination, and the Name of the Master, and also an Account of the Goods shipped on board, and of the Packages containing such Goods, and of the Marks and Numbers upon such Packages, and a like Account of the Goods on board, if any, which had been reported Inwards for Exportation (1) in such Ship, so far as any of such Particulars can be known by him; and also, before the Clearance of such Ship, the Cockets, with the Endorsements and Clearances thereon for the Goods shipped, shall be finally delivered by the respective Shippers (2) of such Goods to the Searcher, who shall file the same together (3), and shall attach with a Seal a Label to the File, showing the Number of Cockets contained in the File, and shall compare the Particulars of the Goods in the Cockets with the Particulars of the Goods in such Content, and shall attest the Correctness thereof by his Signature on the Label and on the Content; and the Master of the Ship shall make and sign a Declaration before the Collector or Comptroller to the Truth of such Content, and shall also answer to the Collector or Comptroller such Questions concerning the Ship, the Cargo, and the intended Voyage, as shall be demanded of him; and thereupon the Collector or Comptroller shall clear such Ship for her intended Voyage, and shall notify such

(1) See §§ 7. 69. 90.

(2) See §§ 69. 79.

(3) As to Goods reported for Exportation, see § 90.

Clearance and the Date thereof upon the Content, and upon the Label to the File of Cockets, and upon the Victualling Bill (1), and also in the Book of Ships Entries Outwards, for the Information of all Parties interested, and shall transmit (2) the Content, and the Cockets, and the Victualling Bill to the Searcher; and the Particulars to be contained in such Content shall be written and arranged in such Form and Manner as the Collector and Comptroller shall require.

OUTWARDS.

—
Clearance of
Ship.—
on File, and on
Victualling
Bill, and in
Book.

LXXXVII. And be it enacted, That the File of Cockets and the Victualling Bill shall thereupon be delivered by the Searcher to the Master of such Ship, at such Station within the Port and in such Manner as shall be appointed by the Commissioners of Her Majesty's Customs for that Purpose; and such File of Cockets and Victualling Bill, so delivered, shall be kept by the Master of such Ship as the Authority for departing from the Port with the several Parcels and Packages of Goods and of Stores on board, so far as they shall agree with the Particulars in the Endorsements on such Cockets or with such Victualling Bill. (3)

File of Cockets
and Victualling
Bill delivered to
Master as the
Clearance.

LXXXVIII. And be it enacted, That if any Ship is to depart in Ballast from the United Kingdom or from the *Isle of Man* for Parts beyond the Seas, having no Goods on board except the Stores of such Ship borne upon the Victualling Bill, or any Goods reported Inwards for Exportation in such Ship (4), the Master of such Ship shall, before her Departure, answer to the Collector or Comptroller such Questions touching her Departure and Destination as shall be demanded of him; and thereupon the Collector or Comptroller shall clear such Ship in Ballast, and shall notify such Clearance and the Date thereof on the Victualling Bill, and also in the Book of Ships Entries Outwards, for the Information of all Parties interested; and such Victualling Bill shall be kept by the Master of such Ship as the Clearance of the same.

In Ballast.

Master to
answer Ques-
tions.Clearance
notified on
Victualling Bill
and in Book.

LXXXIX. And be it enacted, That Slate and Slates and Chalk laden on board any Ship bound to Foreign

Slate and Slates
and Chalk to

(1) See § 68.

(2) As to Stations for delivering Clearance to Master, see §§ 87. 94. 149.

(3) As to boarding Ships by Officers, see §§ 93, 94.

(4) See §§ 7. 9.

OUTWARDS.

—
Clearance of
Ship.

—
be deemed
Ballast.

Parts shall be deemed to be Ballast ; and that every such Ship having on board Slate and Slates and Chalk only, or either of them, shall be deemed to be a Ship departing in Ballast ; and if on the Return of any such Ship any Slate or Slates or Chalk shall be remaining on board, the same shall be deemed to be the Ballast of such Ship.

Part of former
Cargo reported
for Exportation.

Copy of Report
to be the
Clearance.

XC. And be it enacted, That if there be on board any Ship any Goods of the Inward Cargo which were reported for Exportation in the same, the Master shall, before Clearance Outwards of such Ship from any Port in the United Kingdom or in the *Isle of Man*, deliver to the Searcher a Copy of the Report Inwards of such Goods, certified by the Collector and Comptroller ; and such Copy, being found to correspond with the Goods so remaining on board, shall be the Authority to the Searcher to pass such Ship with such Goods on board, and being signed by the Searcher, and filed with the Cocketts (1), shall be the Clearance of the Ship for those Goods.

If any Pas-
sengers, Master
may enter Bag-
gage in his
Name.

Ship with Bag-
gage only
deemed to be
in Ballast.

XCI. And be it enacted, That if any Passengers are to depart in any Ship from the United Kingdom or from the *Isle of Man* for Parts beyond the Seas, it shall be lawful for the Master of such Ship to pass an Entry and to receive a Cocket in his Name for the necessary personal Baggage of all such Passengers, and duly to clear such Baggage for Shipment, in their Behalf, stating in such Clearances the Particulars of the Packages and the Names of the respective Passengers ; and if such Ship is to take no other Goods than the necessary personal Baggage of Passengers actually going the Voyage, it shall be lawful for such Master to enter such Ship Outwards in Ballast for Passengers only ; and if no other Goods than such Baggage duly entered and cleared be taken on board such Ship, the same shall be deemed to be a Ship in Ballast, notwithstanding such Baggage, and shall be described in the Clearance, on the Content and on the Label to the Cocket or Cocketts, and on the Victualling Bill and in the Book of Ships Entries, as a Ship cleared in Ballast, except as to the necessary personal Baggage of Passengers going the Voyage.

(1) If any Cocketts, see § 86.

XCII. And be it enacted, That if the Master and Crew of any Foreign Ship which is to depart in Ballast from the United Kingdom for Parts beyond the Seas shall be desirous to take on board Chalk Rubbish by way of Ballast, or to take with them for their private Use any small Quantities of Goods of *British* Manufacture, it shall be lawful for such Master, without entering such Ship Outwards, to pass an Entry in his Name, and receive a Cocket free of any Export Duty for all such Goods, under the general Denomination of *British* Manufactures not prohibited to be exported, being for the Use and Privilege of the Master and Crew, and not being of greater Value than in the Proportion of Twenty Pounds for the Master, and Ten Pounds for the Mate, and Five Pounds for each of the Crew, and stating that the Ship is in Ballast; and the Master shall duly clear such Goods for Shipment on behalf of himself and Crew, stating in such Clearances the Particulars of the Goods and Packages and the Names of the Crew who shall jointly or severally take any of such Goods under this Privilege; and such Ship shall be deemed to be a Ship in Ballast, and be cleared as such, and without a Content, notwithstanding such Goods or such Cocket or Cockets; and such Clearance shall be notified by the Collector or Comptroller on the Label to the Cocket or Cockets, and on the Victualling Bill, and in the Book of Ships Entries, as a Clearance in Ballast, except as to the Privilege of the Master and Crew.

OUTWARDS.

—
Clearance of
Ship.—
In Ballast,
Master may
enter Goods for
private Use of
Self and Crew.Privilege;
20*l.* Master,
10*l.* Mate,
5*l.* Crew.Master to clear
the Goods.Ship to be
deemed in
Ballast.

XCIII. And be it enacted, That it shall be lawful for the Officers of the Customs to go on board any Ship after Clearance Outwards, within the Limits of any Port in the United Kingdom or in the *Isle of Man*, or within Four Leagues of the Coast thereof, and to demand the File of Cockets and the Victualling Bill (1), and if there be any Goods or Stores on board not contained in the Endorsements on the Cockets nor in the Victualling Bill, such Goods or Stores shall be forfeited; and if any Goods contained in such Endorsements be not on board, the Master shall forfeit the Sum of Twenty Pounds for every Package or Parcel of Goods contained in such Endorsements and not on board; and if any Cocket be at any Time falsified, the Person who shall have falsified the same, or

Officers may
board any Ship
after Clearance.Goods on board,
and not in
Cocket, 20*l.*
Penalty.Cocket falsified,
100*l.* Penalty.

(1) See §§ 86, 87.

OUTWARDS.

—
Clearance of
Ship.

—
Ships to bring
to at Stations.

who shall have wilfully used the same, shall forfeit the Sum of One hundred Pounds.

XCIV. And be it enacted, That every Ship departing from any Port in the United Kingdom or in the *Isle of Man* shall bring to at such Stations within the Port as shall be appointed by the Commissioners of Her Majesty's Customs for the landing of Officers from such Ships, or for further Examination previous to such Departure. (1)

Debenture
Goods.

—
Entry in Name
of real Owner,
or of the Com-
mission Mer-
chant.

XCv. And be it enacted, That no Drawback or Bounty shall be allowed upon the Exportation from the United Kingdom of any Goods unless such Goods shall have been entered in the Name of the Person who was the real Owner thereof at the Time of Entry and shipping, or of the Person who had actually purchased and shipped the same, in his own Name and at his own Liability and Risk, on Commission, according to the Practice of Merchants, and who was and shall have continued to be entitled in his own Right to such Drawback or Bounty, except in the Cases herein-after provided for. (2)

Declaration as
to Exportation,
and to Pro-
perty, and
Right to Draw-
back or Bounty.

XCvi. And be it enacted, That such Owner or Commission Merchant shall make and subscribe a Declaration upon the Debenture that the Goods mentioned therein have been actually exported, and have not been re-landed, and are not intended to be re-landed in any Part of the United Kingdom, nor in the *Isle of Man* (3), (unless entered for the *Isle of Man*,) nor in the Islands of *Faro* or *Ferro*, and that he was the real Owner thereof at the Time of Entry and shipping, or that he had purchased and shipped the said Goods in his own Name, and at his own Liability and Risk, on Commission, as the Case may be, and that he was and continued to be entitled to the Drawback or Bounty thereon in his own Right: Provided always, that if such Owner or Merchant shall not have purchased the Right to such Drawback or Bounty he shall declare under his Hand upon the Entry and upon the Debenture the Person who is entitled thereto, and the Name of such Person shall be stated in the Cocket and in the Debenture; and the Receipt of such Person on the

If Drawback,
&c. be not pur-
chased, Name
of Person en-
titled to be
declared.

(1) See §§ 87, 149.

(2) See §§ 97, 98.

(3) See Licence Goods, Cap. 94. § 4.

Debenture shall be the Discharge for such Drawback or Bounty.

OUTWARDS.

*Debenture
Goods.*

XCVII. And be it enacted, That if such Owner or Merchant shall be resident in some Part of the United Kingdom being more than Twenty Miles from the Custom House of the Port of Shipment, he may appoint any Person to be his Agent to make and pass his Entry, and to clear and ship his Goods, and to receive for him the Drawback or Bounty payable on his Debenture, if payable to him, provided the Name of such Agent and the Residence of such Owner or Merchant be subjoined to the Name of such Owner or Merchant in the Entry and in the Cocket for such Goods; and such Agent, being duly informed, shall make Declaration (1) upon the Entry, if any be necessary, and also upon the Debenture, in behalf of such Owner or Merchant, to the Effect before required of such Owner or Merchant (2), and shall answer such Questions touching his Knowledge of the Exportation of such Goods and the Property therein, and of the Right to the Drawback or Bounty, as shall be demanded of him by the Collector or Comptroller; and if any such Goods be exported by any Corporation or Company trading by a Joint Stock it shall be lawful for them to appoint any Person to be their Agent for the like Purposes and with the like Powers to act in their Behalf.

Agent may pass Entry and receive Drawback, and make the Declaration, and answer Questions for Owner not resident.

Joint Stock Company.

XCVIII. And be it enacted, That if any Goods which are to be exported for Drawback be the Property of any Person residing abroad, having been consigned by the Owner thereof to some Person as his Agent residing in the United Kingdom, to be exported through the same to Parts beyond the Seas, by such Agent, upon Account of such Owner, it shall be lawful for such Person (being the Consignee by whom and in whose Name the Duties Inwards on such Goods had been paid, or his legal Representative), in like Manner, as Agent for such Owner, to enter, clear, and ship such Goods for him, and upon like Conditions to receive for him the Drawback payable thereon.

Property of Persons abroad consigned here to an Agent, and exported by him on account of Owner.

XCIX. And be it enacted, That no Drawback shall be allowed upon the Exportation of any Goods unless such Goods be shipped within Three Years after the Payment of the Duties Inwards thereon, and that no Debenture for

Shipment within Three Years, and Payment within Two Years.

(1) See Proviso, § 96.

(2) See § 96.

OUTWARDS.

Debenture
Goods.

Issuing and
passing Deben-
ture.

any Drawback or Bounty allowed upon the Exportation of any Goods shall be paid after the Expiration of Two Years from the Date of the Shipment of such Goods.

C. And be it enacted, That for the Purpose of computing and paying any Drawback or Bounty payable upon any Goods duly entered, shipped, and exported, a Debenture (1) shall, in due Time after such Entry, be prepared by the Collector and Comptroller, certifying in the first instance the Entry Outwards of such Goods; and so soon as the same shall have been duly exported, and a Notice containing the Particulars of the Goods shall have been delivered by the Exporter to the Searcher, the Shipment and Exportation thereof shall be certified to the Collector and Comptroller, upon such Debenture, by the Searcher, and the Debenture shall thereupon be computed and passed with all convenient Despatch, and be delivered to the Person entitled to receive the same. (2)

Certificate of
landing in Isle
of Man.

CI. And be it enacted, That no Drawback or Bounty shall be allowed for any Goods carried by Sea from the United Kingdom to the *Isle of Man* until a Certificate shall be produced from the Collector and Comptroller of the Customs of the *Isle of Man* of the due landing of such Goods.

Licensed
Lighterman
only to ship
Debenture or
warehoused
Goods.

CII. And be it enacted, That no Goods cleared for Drawback or Bounty, or from the Warehouse, shall be carried or waterborne to be put on board any Ship for Exportation from the United Kingdom, by any Person, unless such Person shall be authorized for that Purpose by Licence under the Hands of the Commissioners of Her Majesty's Customs; and that, before granting such Licence, it shall be lawful for the said Commissioners to require such Security by Bond for the faithful and incorrupt Conduct of such Person as they shall deem necessary; and that after granting such Licence it shall be lawful for the said Commissioners to revoke the same, if the Person to whom the same shall have been granted shall be convicted of any Offence against the Laws relating to the Customs or Excise: Provided always, that all such Licences which shall be in force at the Time of the Com-

Commissioners
may grant Li-
cence and
require Bond.

Licences in
force.

(1) As to Payment, see Cap. 85. § 15.

(2) As to Limitation of Time for Payment, see § 99.

mencement of this Act shall continue in force as if the same had been afterwards granted under the Authority of this Act.

OUTWARDS.

Debenture
Goods.

CIII. And be it enacted, That if any Goods which have been taken from the Warehouse to be exported from the same, or any Goods which have been cleared to be exported for any Drawback or Bounty, shall not be duly exported to Parts beyond the Seas, or shall be re-landed in any Part of the United Kingdom, (such Goods not having been duly re-landed or discharged as short-shipped under the Care of the proper Officers,) or shall be landed in the Islands of *Faro* or *Ferro*, or shall be carried to any of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, (not having been duly entered, cleared, and shipped, to be exported or carried directly to such Islands,) the same shall be forfeited, together with the Ship from or by which the same had been so re-landed, landed, or carried, and any other Ship, Vessel, Boat, or Craft which may have been used in so re-landing, landing, or carrying such Goods; and any Person by whom or by whose Orders or Means such Goods shall have been so taken or cleared, or so re-landed, landed, or carried, shall forfeit a Sum equal to Treble the Value of such Goods.

Warehouse or
Debenture
Goods not ex-
ported, or if
re-landed, or
carried to
Guernsey, &c.
without Entry,
forfeited.

CIV. And be it enacted, That a Drawback of the whole of the Duties of Customs shall be allowed for Wine intended for the Consumption of Officers of Her Majesty's Navy, on board such of Her Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities of Wine, in any One Year, for the Use of such Officers, herein-after respectively mentioned; (that is to say,)

Drawback of
Duties on Wine
allowed for
Officers in the
Navy.

	Gallons.
For every Admiral - - -	1,260
— Vice-Admiral - - -	1,050
— Rear-Admiral - - -	840
— Captain of the First and Se- cond Rate - - -	630
— Captain of the Third, Fourth, and Fifth Rate - - -	420
— Captain of an inferior Rate -	210
— Lieutenant, and other Com- manding Officer, and for every Marine Officer - - -	105

OUTWARDS.

—
Debenture
Goods.
—

Person enter-
ing such Wine
for Drawback
to declare the
Name and Rank
of Officer
claiming the
same.

Provided always, that such Wine be shipped only at one of the Ports herein-after mentioned; (that is to say,) *London, Liverpool, Rochester, Deal, Dover, Portsmouth, Plymouth, Yarmouth, Falmouth, Belfast, Dublin, Cork, Leith, or Glasgow.*

CV. And be it enacted, That the Person entering such Wine, and claiming the Drawback for the same, shall state in the Entry and declare on the Debenture the Name of the Officer for whose Use such Wine is intended, and of the Ship in which he serves; and such Wine shall be delivered into the Charge of the Officers of the Customs at the Port of Shipment, to be secured in the Queen's Warehouse until the same shall be shipped under their Care; and such Officers having certified upon the Debenture the Receipt of the Wine into their Charge, the Debenture shall be computed and passed, and be delivered to the Person entitled to receive the same. (1)

Officers leaving
the Service, &c.
such Wine per-
mitted to be
transferred to
others.

CVI. And be it enacted, That if any such Officer shall leave the Service, or be removed to another Ship, it shall be lawful for the Officers of the Customs, at any of the Ports before mentioned, to permit the Transfer of any such Wine from one Officer to another, as Part of his Proportion, whether on board the same Ship or another, or the Transshipment from one Ship to another for the same Officer, or the re-landing and warehousing for future Re-shipment; and it shall also be lawful for the Officers of Customs at any Port to receive back the Duties for any of such Wine, and deliver the same for Home Use: Provided always, that if any of such Wine be not laden on board the Ship for which the same was intended, or be unladen from such Ship without Permission of the proper Officer of the Customs, the same shall be forfeited.

Pursers of Her
Majesty's Ships,
of War may
ship Tobacco
for Use of Crew,
free of Duty, on
giving Bond.

CVII. And be it enacted, That it shall be lawful for the Purser of any of Her Majesty's Ships of War in actual Service to enter and ship at the Ports of *Rochester, Portsmouth, or Plymouth* (2), in the Proportions herein-after mentioned, any Tobacco there warehoused in his Name, or transferred into his Name, for the Use of the

(1) As to Limitation of Time, see § 99.

(2) For proper Tobacco Ports, see Table in § 63.; and for Removal to those Ports, see Cap. 91. § 25.

Ship in which he shall serve, provided such Purser shall deliver to the Collector or Comptroller of such Port a Certificate from the Captain of such Ship, stating the Name of the Purser and the Number of Men belonging to the Ship, and shall also give Bond, with One sufficient Surety, in Treble the Duties payable on the Tobacco, that no Part thereof shall be re-landed in the United Kingdom without Leave of the Officers of the Customs, or be landed in either of the Islands of *Guernsey, Jersey, Alderney, Sark, or Man.*

OUTWARDS.

*Debenture
Goods.*

CVIII. And be it enacted, That if any Purser shall be removed from one Ship to another it shall be lawful for the Collector and Comptroller of the Port where such Ships shall be, to permit the Transshipment of the Remains of any such Tobacco for the Use of such other Ship, upon due Entry of such Tobacco by such Purser, setting forth the Time when and the Port at which such Tobacco was first shipped; and if any such Ship shall be paid off it shall be lawful for the Collector and Comptroller of any Port where such Ship shall be paid off to permit the Remains of any such Tobacco to be landed, and to be entered by the Purser of such Ship, either for Payment of Duties or to be warehoused for the Term of Six Months for the Supply of some other such Ship, in like Manner as any Tobacco may be warehoused and supplied at either of the Ports before mentioned, or for Payment of all Duties within such Six Months: Provided always, that all Tobacco warehoused for the Purpose of so supplying Her Majesty's Ships of War shall be subject to the Provisions of any Act in force relating to the warehousing of Tobacco generally, as far as the same are applicable, and are not expressly altered by any of the Provisions herein particularly made.

Purser removed
from One Ship
to another may
transmit To-
bacco, with
Permission of
Collector.

CIX. And be it enacted, That no greater Quantity of such Tobacco shall be allowed to any Ship of War than Two Pounds by the Lunar Month for each of the Crew of such Ship, nor shall any greater Quantity be shipped at any One Time than sufficient to serve the Crew of such Ship for Six Months after such Rate of Allowance; and the Collector and Comptroller of the Port at or from which any such Tobacco shall be supplied to any such Ship, or landed from any such Ship, or transferred from one such Ship to another, shall transmit a particular Account thereof to the Commissioners of Her Majesty's Customs, in order

Limiting the
Quantity of
Tobacco.

OUTWARDS.

—
*Debenture
 Goods.*
 —

Times and
 Places for ship-
 ping Goods.

that a general Account may be kept of all the Quantities supplied to and consumed on board each of such Ships under the Allowances before granted.

CX. And be it enacted, That no Goods (1) shall be put off from any Wharf, Quay, or other Place, or shall be waterborne in order to be exported, but only on Days not being *Sundays* or *Holidays* (2), and in the Daytime; (that is to say,) from the First Day of *September* until the last Day of *March* betwixt Sun-rising and Sun-setting, and from the last Day of *March* until the First Day of *September* between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any such Goods be then put off or waterborne for Exportation unless in the Presence or with the Authority of the proper Officer of the Customs, nor except from a legal Quay (3) appointed by Her Majesty, or at some Wharf, Quay, or Place appointed by the Commissioners of Her Majesty's Customs for shipping of such Goods by Sufferance. (4)

Penalty for ex-
 porting pro-
 hibited Goods.

CXI. And be it enacted, That if any Goods liable to Forfeiture for being shipped for Exportation (5) shall be shipped and exported without Discovery by the Officers of the Customs, the Person or Persons who shall have caused such Goods to be exported shall forfeit Double the Value of such Goods.

Prohibitions.

—
 Prohibitions
 and Restric-
 tions, absolute
 or modified.

CXII. And be it enacted, That the several Sorts of Goods enumerated or described in the Table following (denominated "A Table of Prohibitions and Restrictions Outwards") shall be either absolutely prohibited to be exported from the United Kingdom, or shall be exported only under the Restrictions mentioned in such Table, according as the several Sorts of such Goods are respectively set forth therein; (that is to say,)

A TABLE OF PROHIBITIONS AND RESTRICTIONS OUTWARDS.

Clocks and Watches; *viz.*

— any outward or inward Box, Case, or Dial Plate, of any Metal, without the Movement in or with every

(1) See § 66.

(2) See Cap. 85. § 13.

(3) See § 153.

(4) See § 155.

(5) See § 112.

such Box, Case, or Dial Plate, made up fit for Use, with the Clock or Watch Maker's Name engraven thereon.

OUTWARDS.

Prohibitions.

Lace; viz.

- any Metal inferior to Silver which shall be spun, mixed, wrought, or set upon Silk, or which shall be gilt, or drawn into Wire, or flattened into Plate, and spun or woven, or wrought into or upon, or mixed with Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons, made in the Gold or Silver Lace Manufactory, or set upon Silk, or made into Bullion, Spangles, or Pearl, or any other Materials made in the Gold or Silver Lace Manufactory, or which shall imitate or be meant to imitate such Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons; nor shall any Person export any Copper, Brass, or other Metal which shall be silvered or drawn into Wire, or flattened into Plate, or made into Bullion, Spangles, or Pearl, or any other Materials used in the Gold or Silver Lace Manufactory, or in imitation of such Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons, or of any of the Materials used in making the same, and which shall hold more or bear a greater Proportion than Three Pennyweights of fine Silver to the Pound Avoirdupoise of such Copper, Brass, or other Metals.
- any Metal inferior to Silver, whether gilt, silvered, stained, or coloured, or otherwise, which shall be worked up or mixed with Gold or Silver in any Manufacture of Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons.

A LIST of GOODS which may be PROHIBITED to be EXPORTED by Proclamation or Order in Council. (1)

Arms, Ammunition, and Gunpowder.

Ashes, Pot and Pearl.

Military Stores and Naval Stores, and any Articles (except Copper) which Her Majesty shall judge capable of being converted into or made useful in increasing the Quantity of Military or Naval Stores.

Provisions or any Sort of Victual which may be used as Food by Man.

And if any Goods shall be exported, or be waterborne to be exported, from the United Kingdom, contrary to any Forfeiture.

(1) See § 126. as to prohibiting the carrying such Goods Coastwise.

OUTWARDS.

Prohibitions.

of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited. (1)

COASTWISE.

General Provisions.

All Trade by Sea from one Part of the United Kingdom to another, or to the Isle of Man, to be deemed Coastwise, and no Part to be deemed beyond the Seas.

Proviso for Dutiable Goods carried into the Isle of Man.

CXIII. And whereas it is necessary to make Regulations for the Coasting Trade of the United Kingdom and of the *Isle of Man*, and that the Officers of the Customs should have cognizance (2) of all Ships carrying any Goods Coastwise from one Part of the United Kingdom to another Part of it, or to the *Isle of Man*, or from one Part of the *Isle of Man* to another Part of it, and of all Goods so carried, in order that such Trade may be confined to *British Ships* (3), and that all Duties levied Coastwise may be duly collected, and that the Laws for regulating the Importation and Exportation of Goods from and to Parts beyond the Seas may not be evaded; be it therefore enacted, That all Trade by Sea from any one Part of the United Kingdom to any other Part thereof, or to the *Isle of Man*, or from the *Isle of Man* to any Part of the United Kingdom, or from one Part of the *Isle of Man* to another Part thereof, shall be deemed to be a Coasting Trade, and all Ships while employed therein shall be deemed to be Coasting Ships; and that no Part of the United Kingdom or of the *Isle of Man*, however situated with regard to any other Part, shall be deemed in Law, with reference to each other, to be Parts beyond the Seas in any Matter relating to the Trade or Navigation or Revenue of this Realm: Provided always, that all Goods liable to Duty of Customs upon the Importation or bringing of them into the *Isle of Man*, when brought from the United Kingdom into the said Isle, and all Vessels bringing the same, shall be liable to the same Rules and Regulations as are required by Law in respect of Goods imported into the said Isle from Foreign Parts, and in respect of the Vessels bringing the same; and all Penalties and Forfeitures inflicted by Law for any Breach of the said Rules and Regulations shall attach upon all Goods so brought into the said Isle contrary to the said Rules and Regulations or any of them, and upon all Persons committing any Breach of any such Rule or Regulation; and such Penalties and Forfeitures may be recovered in the same Manner

(1) See §§ 84. 111., and Cap. 87. § 32.

(2) See § 124. as to Power of Officers of Customs to board Coasting Vessels.

(3) See Navigation Act, Cap. 88. § 8.

as any Penalty or Forfeiture may be recovered by any Act relating to the Customs.

COASTWISE.

General
Provisions.

CXIV. And whereas some Parts of the Coast of the United Kingdom may be so situated with regard to other neighbouring Parts thereof that Doubts may arise in some Cases whether the Passage between them by Water shall be deemed to be a Passage by Sea within the Meaning of this Act; and that in other Cases, although such Passage be by Sea, it may be unnecessary for the Purposes of this Act, or of any Act relating to the Customs, to subject Ships passing between such Places to the Restraints of Coast Regulations; be it therefore enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to determine and direct in what Cases the Trade by Water from any Place on the Coast of the United Kingdom to another of the same shall or shall not be deemed a Trade by Sea within the Meaning of this Act or of any Act relating to the Customs.

—
Lords of the
Treasury to
regulate what
shall be deemed
trading by Sea
under this Act.

CXV. And be it enacted, That no Goods shall be carried in any Coasting Ship except such as shall be laden to be so carried at some Port or Place in the United Kingdom, or at some Port or Place in the *Isle of Man* respectively; and that no Goods shall be laden on board any Ship to be carried Coastwise until all Goods brought in such Ship from Parts beyond the Seas shall have been unladen; and that if any Goods shall be taken into or put out of any Coasting Ship at Sea or over the Sea, or if any Coasting Ship shall touch at any Place over the Sea, or deviate from her Voyage, unless forced by unavoidable Circumstances, or if the Master of any Coasting Ship which shall have touched at any Place over the Sea shall not declare the same in Writing under his Hand to the Collector or Comptroller at the Port in the United Kingdom or in the *Isle of Man* where such Ship shall afterwards first arrive, the Master of such Ship shall forfeit the Sum of Two hundred Pounds.

Coasting Ship
confined to
coasting
Voyage.

Penalty on
Deviation
unless declared.

CXVI. And be it enacted, That no Goods shall be laden on board any Ship in any Port or Place in the United Kingdom or in the *Isle of Man* to be carried Coastwise, nor having been brought Coastwise shall be unladen in any such Port or Place from any Ship, until

Before Goods
be laden or un-
laden, Notice or
Intention or of
Arrival to be
given, and pro-



COASTWISE.

General
Provisions.per Documents
to issue.

due Notice in Writing, signed by the Master (1), shall have been given to the Collector or Comptroller, by the Master, Owner, Wharfinger, or Agent of such Ship, of the Intention to lade Goods on board the same to be so carried, or of the Arrival of such Ship with Goods so brought, (as the Case may be,) nor until proper Documents (2) shall have been granted as herein-after directed for the lading or for the unloading of such Goods; and such Goods shall not be laden or unladen except at such Times and Places (3), and in such Manner, and by such Persons, and under the Care of such Officers (4), as is and are herein-after directed; and all Goods laden to be so carried, or brought to be so unladen, contrary hereto, shall be forfeited.

Particulars in
Notice;

CXVII. And be it enacted, That in such Notice (5) shall be stated the Name and Tonnage of the Ship, and the Name of the Port to which she belongs, and the Name of the Master, and the Name of the Port to which she is bound or from which she has arrived, and the Name or Description of the Wharf or Place at which her Lading is to be taken in or discharged (as the Case may be); and such Notice shall be signed by the Master, Owner, Wharfinger, or Agent of such Ship, and shall be entered in a Book to be kept by the Collector for the Information of all Parties interested; and every such Notice for the unloading of any Ship or Vessel shall be delivered within Twenty-four Hours after the Arrival of such Ship or Vessel, under a Penalty of Twenty Pounds, to be paid by the Master of such Ship or Vessel; and in every such Notice for the lading of any Ship or Vessel shall be stated the last Voyage on which such Ship or Vessel shall have arrived at such Port; and if such Voyage shall have been from Parts beyond the Seas there shall be produced with such Notice a Certificate from the proper Officer of the Discharge of all Goods (if any) brought in such Ship, and of the due Clearance of such Ship or Vessel Inwards of such Voyage.

within Twenty-
four Hours of
Arrival for
unloading;for lading, to
state last
Voyage and
Clearance.From and to
Ireland with

CXVIII. And be it enacted, That upon the Arrival of any Coasting Ship at any Port in *Great Britain* from Ire-

(1) If between Great Britain and Ireland the Master must attend, § 118.

(2) See §§ 119. 121, 122, 123. (3) See § 125. (4) See § 125.

(5) See § 118, as to the like Notice in Voyages between Great Britain and Ireland.



land, or at any Port in *Ireland* from *Great Britain*, the Master of such Ship shall within Twenty-four Hours after such Arrival attend and deliver such Notice (1), signed by him, to the Collector or Comptroller; and if such Ship shall have on board any Goods subject on Arrival to any Duty of Excise (2), or any Goods which had been imported from Parts beyond the Seas, the Particulars of such Goods, with the Marks and Numbers of the Packages containing the same, shall be set forth in such Notice; and if there shall be no such Goods on board, then it shall be declared in such Notice that no such Goods are on board; and the Master shall also answer any Questions relating to the Voyage as shall be demanded of him by the Collector or Comptroller; and every Master who shall fail in due Time to deliver such Notice, and truly to answer such Questions, shall forfeit the Sum of One hundred Pounds.

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certain Goods,
the Master must
attend to deliver
Notice, &c.

Penalty.

CXIX. And be it enacted, That when due Notice shall have been given to the Collector or Comptroller at the Port of lading of the Intention to lade Goods on board any Coasting Ship, such Collector or Comptroller shall grant a general Sufferance (3) for the lading of Goods (without specifying the same) on board such Ship, at the Wharf or Place which shall be expressed in such Sufferance; and such Sufferance shall be a sufficient Authority for the lading of any Sort of Goods, except such (if any) as shall be expressly excepted therein: Provided always, that before any Sufferance be granted for any Goods prohibited to be exported (4) the Master or Owner of any such Ship, or the Shipper of such Goods, shall give Bond, with One sufficient Surety, in Treble the Value of the Goods, that the same shall be landed at the Port for which such Sufferance is required, or shall be otherwise accounted for to the Satisfaction of the Commissioners of Her Majesty's Customs.

After Notice
given of lading
Goods on board
Coasting Ships,
Collector may
grant a general
Sufferance.Bond for cer-
tain Goods.

CXX. And be it enacted, That the Master of every Coasting Ship shall keep or cause to be kept a Cargo Book of the same, stating the Name of the Ship and of the Master, and of the Port to which she belongs, and of the Port to which bound on each Voyage; and in which Book

Master of
Coasting Ves-
sel to keep a
Cargo Book.

(1) See §§ 116, 117.

(3) See § 123.

(2) See also § 122.

(4) See § 112.

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shall be entered, at the Port of lading, an Account of all Goods taken on board such Ship, stating the Descriptions of the Packages, and the Quantities and Descriptions of the Goods therein, and the Quantities and Descriptions of any Goods stowed loose, and the Names of the respective Shippers and Consignees, as far as any of such Particulars shall be known to him; and in which Book, at the Port of Discharge, shall be noted the respective Days upon which any of such Goods be delivered out of such Ship, and also the respective Times of Departure from the Port of lading, and of Arrival at any Port of unloading; and such Master shall produce such Book for the Inspection of the Coast-waiter or other proper Officer, so often as the same shall be demanded, and who shall be at liberty to make any Note or Remark therein; and if such Master shall fail correctly to keep such Book, or to produce the same, or if at any Time there be found on board such Ship any Goods not entered in the Cargo Book as laden, or any Goods noted as delivered, or if at any Time it be found that any Goods entered as laden, or any Goods not noted as delivered, be not on board, the Master of such Ship shall forfeit the Sum of Fifty Pounds; and if upon Examination at the Port of lading, any Package entered in the Cargo Book as containing any Foreign Goods shall be found not to contain such Goods, such Package, with its Contents, shall be forfeited; and if at the Port of Discharge any shall be found to contain any Foreign Goods which are not entered in such Book, such Goods shall be forfeited.

Penalty for
false Entries in
such Book.

Accounts of
Foreign Goods,
and of Goods
subject to Coast
Duty, to be
delivered to
Collector.

CXXI. And be it enacted, That before any Coasting Ship shall depart from the Port of lading (1), an Account, together with a Duplicate of the same, all fairly written, and signed by the Master, shall be delivered to the Collector or Comptroller; and in such Account shall be set forth such Particulars as are required to be entered in the Cargo Book (2) of all Foreign Goods, and of all Corn, Grain, Meal, Flour, or Malt laden on board, and generally, whether any other *British* Goods or no other *British* Goods be laden on board, as the Case may be, or whether such Ship be wholly laden with *British* Goods not being of any of the Descriptions before mentioned, as the Case may be; and the Collector or Comptroller shall select and

(1) See Exceptions, § 123.

(2) See § 120.

retain one of such Accounts, and shall return the other, dated and signed by him, and noting the Clearance of the Ship thereon; and such Account shall be the Clearance of the Ship for the Voyage, and the Transire for the Goods expressed therein; and if any such Account be false, or shall not correspond with the Cargo Book, the Master shall forfeit the Sum of Fifty Pounds.

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CXXII. And be it enacted, That before any Goods be unladen from any Coasting Ship at the Port of Discharge, the Master, Owner, Wharfinger, or Agent of such Ship shall deliver the Transire to the Collector or Comptroller of such Port, who shall thereupon grant an Order for the unloading of such Ship at the Wharf or Place specified in such Order: Provided always, that if any of the Goods on board such Ship be subject to any Duty of Customs or Excise payable on Arrival Coastwise at such Port, the Master, Owner, Wharfinger, or Agent of such Ship, or the Consignee of such Goods, shall also deliver to the Collector or Comptroller a Bill of the Entry of the Particulars of such Goods expressed in Words at Length, together with a Copy thereof, in which all Sums and Numbers may be expressed in Figures, and shall pay down all Duties of Customs, or produce a Permit in respect of all Duties of Excise, which shall be due and payable on any of such Goods, as the Case may be; and thereupon the Collector and Comptroller shall grant an Order for the landing of such Goods, in the Presence or by the Authority of the Coast-waiter.

Transire to be
delivered to
Collector before
Goods unladen.

Excise Duties.

CXXIII. And be it enacted, That it shall be lawful for the Collector and Comptroller, in the Cases hereinafter mentioned, to grant for any Coasting Ship a general Transire, to continue in force for any Time not exceeding One Year from the Date thereof, for the lading of any Goods (except such Goods, if any, as shall be expressly excepted therein), and for the Clearance of the Ship in which the Goods shall be laden, and for the unloading of the Goods at the Place of Discharge; (that is to say,)

Collector, in
certain Cases,
may grant
general Transire for Coast-
ing Vessels.

For any Ship regularly trading between Places in the
River *Severn* Eastward of the *Holmes* :

For any Ship regularly trading between Places in the
River *Humber* :

For any Ship regularly trading between Places in the
Firth of Forth :

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Provisions.Commissioners
of Customs may
grant general
Transires.

For any Ship regularly trading between Places to be named in the Transire, and carrying only Manure, Lime, Chalk, Stone, Gravel, Sand, or any Earth, not being Fullers Earth:

And that it shall and may be lawful for the Commissioners of Her Majesty's Customs, whenever it shall appear to them to be necessary, to grant general Transires, under such Regulations and for such Time as they may see fit, for the lading of any Goods, and for the clearing the Ship in which the Goods shall be laden, and for the unlading the Goods at the Place of Discharge: Provided always, that such Transires shall be written in the Cargo Book herein-before (1) required to be kept by the Masters of Coasting Ships: Provided also, that if the said Commissioners or the Collector and Comptroller shall at any Time revoke such Transires, and Notice thereof shall be given to the Master or Owner of the Ship, or shall be given to any of the Crew when on board the Ship, or shall be entered in the Cargo Book by any Officer of the Customs, such Transires shall become void, and shall be delivered up by the Master or Owner to the Collector or Comptroller, or to any Officer of Customs demanding the same.

Coast-waiter,
Landing-
waiter, or
Searcher may
go on board and
examine any
Coasting Ship.

CXXIV. And be it enacted, That it shall be lawful in any Case, and at all legal Times, for the Coast-waiter, and also for the Landing-waiter, and for the Searcher, and for any other proper Officer of the Customs, to go on board any Coasting Ship in any Port or Place in the United Kingdom or in the *Isle of Man*, or at any Period of her Voyage, and strictly to search such Ship, and to examine all Goods on board, and all Goods being laden or unladen, and to demand all Documents which ought to be on board such Ship.

Times and
Places for
landing and
shipping.

CXXV. And be it enacted, That no Goods shall be unshipped from any Ship arriving Coastwise in the United Kingdom or in the *Isle of Man*, and also that no Goods shall be shipped, or waterborne to be shipped, in the United Kingdom or in the *Isle of Man*, to be carried Coastwise, but only on Days not being *Sundays* or *Holidays* (2), and in the Daytime, (that is to say,) from the First Day of *September* until the last Day of *March*

(1) See § 120.

(2) See Cap. 85. § 13.

betwixt Sun-rising and Sun-setting, and from the last Day of *March* until the First Day of *September* between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any such Goods be so unshipped, shipped, or waterborne unless in the Presence or with the Authority of the proper Officer of the Customs, nor unless at Places which shall be appointed or approved by the proper Officer of the Customs.

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CXXVI. And be it enacted, That whenever any Goods which may be prohibited to be exported by Proclamation or by Order in Council, under the Authority of this Act (1), shall be so prohibited, it shall be lawful in such Proclamation or Order in Council to prohibit or restrict the carrying of such Goods Coastwise; and if any such Goods shall be carried Coastwise, or shall be shipped or waterborne to be carried Coastwise, contrary to any such Prohibition or Restriction, the same shall be forfeited.

Goods prohibited to be exported may also be prohibited from being carried Coastwise.

CXXVII. And in order to avoid the frequent Use of numerous Terms and Expressions in this Act, and in other Acts relating to the Customs, and to prevent any Misconstruction of the Terms and Expressions used therein, be it enacted, That whenever the several Terms or Expressions following shall occur in this Act, or in any other Act relating to the Customs or to Trade and Navigation, the same shall be construed respectively in the Manner herein-after directed; (that is to say,) the Term "Ship" shall be construed to mean Ship or Vessel generally, unless such Term shall be used to distinguish a Ship from Sloops, Brigantines, and other Classes of Vessels; that the Term "Master" of any Ship shall be construed to mean the Person having or taking the Charge or Command of such Ship; that the Term "Owners" and the Term "Owner" of any Ship shall be construed alike to mean One Owner, if there be only One, and any or all the Owners, if there be more than One; that the Term "Mate" of any Ship shall be construed to mean the Person next in Command of such Ship to the Master thereof; that the Term "Seaman" shall be construed to mean alike Seaman, Mariner, Sailor, or Landsman, being one of the Crew of

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Construction of
Terms used in
Acts.

"Ship."

"Master"

"Owner or
Owners."

"Mate."

"Seaman."

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“ British Possession.”

“ Her Majesty.”

“ Limits of East India Company’s Charter.”

“ Collector and Comptroller.”

“ Officer.”

“ Warehouse.”

“ Queen’s Warehouse.”

any Ship; that the Term “*British Possession*” shall be construed to mean Colony, Plantation, Island, Territory, or Settlement belonging to Her Majesty; that the Term “*Her Majesty*” shall be construed to mean Her Majesty, Her Heirs and Successors; that the Term “*Limits of the East India Company’s Charter*” shall be construed to mean the *Cape of Good Hope*, and all Places and Seas Eastward thereof to the *Straits of Magellan*; that the Terms “*Collector and Comptroller*” shall be construed to mean the Collector and Comptroller of the Customs of the Port intended in the Sentence; that whenever mention is made of any public Officer the Officer mentioned shall be deemed to be such Officer for the Time being; that the Term “*Warehouse*” shall be construed to mean any Place, whether House, Shed, Yard, Timber Pond, or other Place in which Goods entered to be warehoused upon Importation may be lodged, kept, and secured without Payment of Duty, or although prohibited to be used in the United Kingdom; that the Term “*Queen’s Warehouse*” shall be construed to mean any Place provided by the Crown for lodging Goods therein for Security of the Customs.

Malta deemed to be in Europe.

CXXVIII. And be it enacted, That the Island of *Malta* and its Dependencies shall be deemed to be in *Europe*.

Weights, Measures, Currency, Management.

CXXIX. And be it enacted, That all Duties, Bounties, and Drawbacks of Customs shall be paid and received in every Part of the United Kingdom and of the *Isle of Man* in *British* Currency, and according to Imperial Weights and Measures; and that in all Cases where such Duties, Bounties, and Drawbacks are imposed and allowed according to any specific Quantity or any specific Value, the same shall be deemed to apply in the same Proportion to any greater or less Quantity or Value; and all such Duties, Bounties, and Drawbacks shall be under the Management of the Commissioners of the Customs.

Collector to take Bonds in respect of Goods relating to the Customs.

CXXX. And be it enacted, That all Bonds relating to the Customs required to be given in respect of Goods or Ships, except Bonds given for securing the due Exportation of or Payment of Duty upon Goods warehoused according to Law, shall be taken by the Collector and Comptroller for the Use of Her Majesty; and after the

Expiration of Three Years from the Date thereof, or from the Time, if any, limited therein for the Performance of the Condition thereof, every such Bond upon which no Prosecution or Suit shall have been commenced shall be void, and may be cancelled and destroyed.

CXXXI. And whereas it frequently occurs that certain Indulgences are granted to Merchants and others, by Directions of the Commissioners of Her Majesty's Treasury and the Commissioners of Her Majesty's Customs, on Bond being given for the Security of the Revenue; and as Doubts may arise whether such Bonds would in Law be valid, be it therefore enacted and declared, That in all Cases where Bonds shall be entered into, with the Concurrence or by the Direction of the Commissioners of Her Majesty's Treasury or the Commissioners of Her Majesty's Customs, for the due Performance of any Order, Matter, or Thing relative to the Customs, such Bonds shall be valid in Law, and upon Breach of any of the Conditions thereof may be sued and proceeded upon in like Manner as any other Bond entered into by virtue of any Act relating to the Customs.

Bonds entered into with the Concurrence of the Lords of the Treasury or the Commissioners of the Customs for the due Performance of any thing relating to the Customs to be valid in Law.

CXXXII. And be it enacted, That the same Instruments, and the same Tables and Scales of Graduation, and the same Rules and Methods, as the Officers of the Excise shall by any Law in force for the Time being be directed to use, adopt, and employ in trying and ascertaining the Strengths and Quantities of Spirits made within the United Kingdom, for the Purpose of computing and collecting the Duties of Excise payable thereon, shall be used, adopted, and employed by the Officers of the Customs in trying and ascertaining the Strengths and Quantities of Spirits imported into the United Kingdom, for the Purpose of computing and collecting the Duties of Customs payable thereon.

Mode of ascertaining Strength of Foreign Spirits.

CXXXIII. And be it enacted, That, to prevent Vinegar or Acetous Acid of excessive Strength being brought into Consumption upon Payment of Duty as common Vinegar or Acetous Acid, to the great Injury of Her Majesty's Revenue, all such Liquors as aforesaid subject and liable to any Duty of Customs shall and may be tried and examined by any Officer or Officers of Customs with such Acetometer as shall and may be from Time to Time

Vinegar or Acetous Acid to be charged with Duty according to Strength.

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directed by the Commissioners of Her Majesty's Customs, in order to ascertain the Strength thereof; and that whenever any such Liquors shall upon any such Trial be found by any Officer or Officers of Customs to be above Proof as denoted by such Acetometer (Proof of being such Strength of Acetous Acid that One hundred Parts of the Liquor by Weight will saturate or neutralize Fourteen and a Half Parts by Weight of Crystallized Sub-carbonate of Soda), the Number of Gallons of such Liquors of which such Trial is made shall be deemed and computed by such Officer or Officers to be such Number as could be made from or with such Liquors if diluted by Water to the Strength of Proof denoted as aforesaid, and shall be chargeable and taken account of and charged by such Officer with Duty accordingly.

Spirits,
although mixed,
to pay Duties
as such.

CXXXIV. And be it enacted, That Spirits or Strong Waters imported into the United Kingdom mixed with any Ingredient, and although thereby coming under some other Denomination, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.

Officers of
Customs to
take Samples
of Goods,

CXXXV. And be it enacted, That it shall be lawful for the Officers of the Customs to take such Samples of any Goods as shall be necessary for ascertaining the Amount of any Duties payable on the same; and all such Samples shall be disposed of and accounted for in such Manner as the Commissioners of Her Majesty's Customs shall direct.

Time of an
Importation
and of an Ex-
portation de-
fined.

CXXXVI. And be it enacted, That if upon the first levying or repealing of any Duty, or upon the first granting or repealing of any Drawback or Bounty, or upon the first permitting or prohibiting of any Importation or Exportation, whether Inwards, Outwards, or Coastwise, in the United Kingdom or in the *Isle of Man*, it shall become necessary to determine the precise Time at which an Importation or Exportation of any Goods made and completed shall be deemed to have had Effect, such Time, in respect of Importation or Exportation of any Goods made and completed, shall be deemed to be the Time at which the Ship importing such Goods had actually come within the Limits of the Port at which such Ship shall in due Course be reported, and such Goods be discharged; and

that such Time, in respect of Exportation, shall be deemed to be the Time at which the Goods had been shipped on board the Ship in which they had been exported; and that if such Question shall arise upon the Arrival or Departure of any Ship, in respect of any Charge or Allowance upon such Ship, exclusive of any Cargo, the Time of such Arrival shall be deemed to be the Time at which the Report of such Ship shall have been or ought to have been made; and the Time of such Departure shall be deemed to be the Time of the last Clearance of such Ship with the Collector and Comptroller for the Voyage upon which she departed.

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Arrival and
Departure of a
Ship defined.

CXXXVII. And be it enacted, That although any Duty of Customs shall have been overpaid, or although after any Duty of Customs shall have been charged and paid it shall appear or be judicially established that the same had been charged under an erroneous Construction of the Law, it shall not be lawful to return any such Overcharge after the Expiration of Three Years from the Date of such Payment.

Return of Duty
overpaid.

CXXXVIII. And be it enacted, That the Tonnage or Burden of every *British* Ship within the Meaning of this Act shall be the Tonnage set forth in the Certificate of Registry of such Ship, and that the Tonnage or Burden of every other Ship shall, for the Purposes of this Act, be ascertained in the same Manner as the Tonnage of *British* Ships is ascertained. (1)

Tonnage or
Burden of Ships
how ascertained.

CXXXIX. And whereas by an Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for reducing the Tonnage Rates payable in the Port of London*, certain Rates are imposed upon Ships or other Vessels entering Inwards and clearing Outwards in the Port of *London*, and it is expedient to amend the same in respect of Ships or other Vessels reporting their Cargoes for Exportation, and ultimately leaving the Port without breaking Bulk; be it therefore enacted, That no Tonnage Rate shall be payable under the said Act on Ships or other Vessels entering Inwards or clearing Outwards in the said Port in Cases where the Cargoes are reported for Exportation,

Ships, when not
liable to Ton-
nage Rate under
4 & 5 W. 4. c. 32.

(1) See Cap. 89. §§ 16, 17, 18, and 19.

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and ultimately the Ships or other Vessels leave the Port without breaking Bulk, or taking in Merchandize for the Purpose of Exportation.

Officers may
refuse Master of
British Ship
unless endorsed
on Register.

CXL. And be it enacted, That it shall be lawful for the Officers of the Customs at any Port under *British* Dominion where there shall be a Collector and Comptroller of the Customs to refuse to admit any Person to do any Act at such Port as Master of any *British* Ship, unless his Name shall be inserted in or have been endorsed upon the Certificate of Registry of such Ship as being the Master thereof, or until his Name shall have been so endorsed by such Collector and Comptroller. (1)

Falsifying
Documents.

CXLI. And be it enacted, That if any Person shall counterfeit or falsify, or wilfully use when counterfeited or falsified, any Entry, Warrant, Cocket, or Transire, or other Document for the unlading, lading, entering, reporting, or clearing of any Ship or Vessel, or for the landing or shipping of any Goods, Stores, Baggage, or Article whatever, or shall by any false Statement procure any Writing or Document to be made for any of such Purposes, every Person so offending shall for every such Offence forfeit the Sum of Two hundred Pounds: Provided always, that this Penalty shall not attach to any particular Offence for which any other Penalty shall be expressly imposed by any Law in force for the Time being.

Authority of
an Agent may
be required.

CXLII. And be it enacted, That whenever any Person shall make any Application to any Officer of the Customs to transact any Business on behalf of any other Person, it shall be lawful for such Officer to require of the Person so applying to produce a written Authority from the Person on whose Behalf such Application shall be made, and in default of the Production of such Authority to refuse to transact such Business. (2)

False Declara-
tion.

CXLIII. And be it enacted, That if any Declaration required to be made by this Act, or by any other Act relating to the Customs or to Trade or Navigation, (except

(1) See Cap. 89. §§ 2. and 24.

(2) See § 21. as to Agent declaring Value without Authority; as to licensed Agents, see §§ 158. to 161.

Declarations to the Value of Goods,) or if any Declaration made for the Consideration of the Commissioners of Her Majesty's Customs on any Application presented to them, be untrue in any Particular, or if any Person required by this Act, or by any other Act relating to the Customs or to Trade or Navigation, to answer Questions put to him by the Officers touching certain Matters, shall not truly answer such Questions, the Person making such Declaration or answering such Questions shall, over and above any other Penalty to which he may become subject, forfeit the Sum of One hundred Pounds.

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Penalty.

CXLIV. And be it enacted, That the Commissioners of Her Majesty's Customs shall cause to be made, and to be publicly exposed from Time to Time at the several Ports in the United Kingdom and in Her Majesty's Possessions abroad, printed Lists of all Books wherein the Copyright shall be subsisting, and as to which the Proprietor of such Copyright or his Agent shall have given Notice in Writing to the said Commissioners that such Copyright subsists, such Notice also stating when such Copyright expires.

Printed Lists of
prohibited
Books to be
exposed at Custom Houses.

CXLV. And whereas by an Act passed in the Ninth Year of His Majesty King *George* the Fourth, intituled *An Act to allow Sugar to be delivered out of the Warehouse to be refined*, Provisions are made for ascertaining and taking, in manner therein mentioned, the Prices of Brown or Muscovado Sugar the Produce of the *British* Possessions in *America*: And whereas it is expedient that the said Provisions should extend and be applicable to Brown or Muscovado Sugar the Produce of the *British* Possessions within the Limits of the *East India* Company's Charter; be it therefore enacted, That from and after the First Day of *August* One thousand eight hundred and forty-two so much of the said last-mentioned Act as provides for the ascertaining and taking the Prices of Brown or Muscovado Sugar the Produce of the *British* Possessions in *America*, and so much of the same Act as requires the Delivery of Accounts of the Sales and Purchases of such Sugar, and Statements of the Quantities and Prices thereof, and other Particulars therein mentioned in relation thereto, and the Computation and Publication of the Average Prices thereof, and the Registry of such Accounts and Prices, shall be held to extend, include, and apply to Brown or

So much of
9 G. 4. c. 93. as
provides for
taking the
Prices of Sugar
the Produce of
British Possessions in
America, &c. to apply
to Sugar the
Produce of
British Possessions
within the
Limits of the
East India
Company's
Charter.

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Muscovado Sugar the Produce of the several *British Possessions* within the Limits of the *East India Company's Charter*; and that the Average Price of Sugar to be thenceforth published under the said last-mentioned Act as hereby extended shall be the Average Price of Brown or Muscovado Sugar the Produce not only of the *British Possessions* in *America* but also of the *British Possessions* within the Limits of the *East India Company's Charter*; and the several Penalties of Fifty Pounds and of Five Pounds imposed by the said recited Act for the Offences therein mentioned in respect of Sugar the Produce of the *British Possessions* in *America* shall extend and be applicable to the like Offences in respect of Sugar the Produce of the *British Possessions* within the Limits of the *East India Company's Charter*.

Seizures to be
made by Offi-
cers of Cus-
toms.

Ship to include
Tackle, &c.

CXLVI. And be it enacted, That all Goods, and all Ships, Vessels, and Boats, which by this Act or any Act at any Time in force relating to the Customs shall be declared to be forfeited, shall and may be seized by any Officer of the Customs (1); and such Forfeiture of any Ship, Vessel, or Boat shall be deemed to include the Guns, Tackle, Apparel, and Furniture of the same; and such Forfeiture of any Goods shall be deemed to include the proper Package in which the same are contained.

Restoration of
seized Goods,
Ships, &c.

CXLVII. And be it enacted, That in case any Goods, Ships, Vessels, or Boats shall be seized as forfeited, or detained as under-valued, by virtue of any Act of Parliament relating to the Customs, it shall be lawful for the Commissioners of Her Majesty's Customs to order the same to be restored in such Manner and on such Terms and Conditions as they shall think fit to direct; and if the Proprietor of the same shall accept the Terms and Conditions prescribed by the said Commissioners, he shall not have or maintain any Action for Recompence or Damage on account of such Seizure or Detention; and the Person making such Seizure shall not proceed in any Manner for Condemnation. (2)

(1) See Cap. 87. § 33.

(2) As to general Power to restore Forfeitures and remit Penalties, see Cap. 87. § 45. See also same Act, § 3., as to the delivering Vessels seized on account of Spirits or Tobacco found on board them.

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REGULATIONS.

CXLVIII. And be it enacted, That if any Ship shall have become liable to Forfeiture on account of any Goods laden therein or unladen therefrom, or if the Master of any Ship shall have become liable to any Penalties on account of any Goods laden in such Ship or unladen therefrom, and such Goods shall be small in Quantity or of trifling Value, and it shall be made appear to the Satisfaction of the Commissioners of Her Majesty's Customs that such Goods had been laden or unladen contrary to the Intention of the Owners of such Ship, or without the Privity of the Master thereof, as the Case may be, it shall be lawful for the said Commissioners to remit such Forfeiture, and also to remit or mitigate such Penalty, as they shall see reason to acquit such Master of all Blame in respect of such Offence, or more or less to attribute the Commission of such Offence to Neglect of Duty on his Part as Master of such Ship; and every Forfeiture and every Penalty, or Part thereof, so remitted, shall be null and void, and no Suit or Action shall be brought or maintained by any Person whatever on account thereof.

Remission of Forfeitures and Penalties by Commissioners, on Proof of Innocence of Owners and Master.

CXLIX. And be it enacted, That if any Ship coming up or departing out of any Port in the United Kingdom or in the *Isle of Man*, shall not bring to at the proper Stations (1) in such Port appointed by the Commissioners of Her Majesty's Customs for the boarding or landing of Officers of the Customs, the Master of such Ship shall for every such Offence forfeit the Sum of One hundred Pounds.

Ships not bringing to at Stations, Masters to forfeit 100*l*.

CL. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs, and for the Collector and Comptroller of any Port under their Directions, to station Officers on board any Ship while within the Limits of any Port in the United Kingdom or in the *Isle of Man*; and the Master of every Ship on board of which any Officer is so stationed shall provide every such Officer sufficient Room under the Deck, in some Part of the Forecastle or Steerage, for his Bed or Hammock, and in case of Neglect or Refusal so to do shall forfeit the Sum of One hundred Pounds.

Officers may be stationed in Ships in any Port.

Accommodation of Officers on board.

(1) See for Inwards, § 12.; for Outwards, § 94.

GENERAL
REGULATIONS.

Power to charge
Rent in Queen's
Warehouse.

CLI. And be it enacted, That whenever any Goods shall be taken to and secured in any of the Queen's Warehouses in the United Kingdom or in the *Isle of Man*, for Security of the Duties thereon, or to prevent the same from coming into Home Use, it shall and may be lawful for the Commissioners of Her Majesty's Customs to charge and demand and receive Warehouse Rent for such Goods for all such Time as the same shall remain in such Warehouse, at the same Rate as may be payable for the like Goods when warehoused in any Warehouse in which such Goods may be warehoused without Payment of Duty: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury, or the Commissioners of Her Majesty's Customs, by Warrant or Order under their Hands respectively, from Time to Time to fix the Amount of Rent which shall be payable for any Goods secured in any of the Queen's Warehouses as aforesaid.

Power to sell
Goods not
cleared from
Queen's Ware-
house.

CLII. And be it enacted, That in case such Goods shall not be duly cleared from the Queen's Warehouse within Three Calendar Months (or sooner if they be of a perishable Nature), it shall be lawful for the Commissioners of Her Majesty's Customs to cause such Goods to be publicly sold by Auction, for Home Use or for Exportation (as the Case may be); and the Produce of such Sale shall be applied towards the Payment of the Duties, if sold for Home Use, and of the Warehouse Rent and all other Charges; and the Overplus (if any) shall be paid to the Person authorized to receive the same: Provided always, that it shall be lawful for the said Commissioners to cause any of such Goods to be destroyed as cannot be sold for a Sum sufficient to pay such Duties and Charges, if sold for Home Use, or sufficient to pay such Charges, if sold for Exportation: Provided also, that if such Goods shall have been landed by the Officers of the Customs (1), and the Freight of the same shall not have been paid, the Produce of such Sale shall be first applied to the Payment of such Freight.

Power for Her
Majesty to
appoint Ports
and legal Quays.

CLIII. And be it enacted, That it shall be lawful for Her Majesty, by Her Commission out of the Court of Exchequer, from Time to Time to appoint any Port,

(1) See Power to land Goods, § 16. See also Cap. 91. § 51. as to Goods in Docks.

Haven, or Creek in the United Kingdom or in the *Isle of Man*, and to set out the Limits thereof, and to appoint the proper Places within the same to be legal Quays for the lading and unlading of Goods, and to declare that any Place which had been set out as a legal Quay by such Authority shall be no longer a legal Quay, and to appoint any new Place within any Port to be a legal Quay for the lading and unlading of Goods: Provided always, that all Ports, Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out and existing as such at the Commencement of this Act under any Law till then in force, shall continue to be such Ports, Havens, Creeks, Limits, and legal Quays respectively as if the same had been appointed and set out under the Authority of this Act.

CLIV. And be it enacted, That in any Information or other Proceeding for any Offence against any Act made or to be made relating to the Customs the Averment that such Offence was committed within the Limits of any Port shall be sufficient, without Proof of such Limits, unless the contrary be proved.

Averment of
Offence.

CLV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs from Time to Time, by any Order under their Hands, to appoint Places to be Suffurance Wharfs, for the lading and unlading of Goods by Suffurance, to be duly issued by them, or by the proper Officers under their Directions, in such Manner and in such Cases as they shall see fit.

Commissioners
may appoint
Suffurance
Wharfs.

CLVI. And be it enacted, That no Ship or Boat appointed and employed ordinarily for the Carriage of Letters shall import or export any Goods without Permission of the Commissioners of Her Majesty's Customs, under the Penalty of the Forfeiture of One hundred Pounds, to be paid by the Master of such Ship or Boat.

No Ships en-
gaged in the
Carriage of
Letters to
import or ex-
port Goods.

CLVII. And be it enacted, That no Ship shall be cleared from any Port of the United Kingdom, either for a Coasting or a Foreign Voyage, laden with Coals or Coal, or Culm or Cinders, which had not been previously brought Coastwise into such Port, until the Fitter or Coal Owner, or his Agent, vending or shipping the same, shall have delivered to the Collector or Comptroller Two Certificates

Fitters Cer-
tificates.

GENERAL
REGULATIONS.

under his Hand, expressing the total Quantities of Coals, Culm, and Cinders respectively shipped or intended to be shipped by him in such Ship; and the Collector or Comptroller shall retain One of such Certificates, and shall deliver the other, signed by him, to the Master of the Ship; and every Fitter, Coal Owner, or Agent who shall refuse to give such Certificates, or shall give a false Certificate, shall forfeit and pay the Sum of One hundred Pounds; and the Master of such Ship shall keep such Certificate, and produce the same to any Officer of Customs demanding such Production, and shall before Bulk be broken deliver such Certificate to the Collector or Comptroller of any Port in the United Kingdom to which such Coals, Culm, or Cinders shall be carried in such Ship.

LICENSED
AGENTS.

Persons entering or clearing Ships, &c. as Agents, to be licensed, and give Bond.

Exception.

CLVIII. And be it enacted, That it shall not be lawful for any Person to act as an Agent (1) for transacting Business in the Port of *London* (2) which shall relate to the Entry or Clearance of any Ship, or of any Goods, or of any Baggage, unless authorized so to do by Licence of the Commissioners of Her Majesty's Customs, who are hereby empowered to require Bond to be given by every Person to whom such Licence shall be granted, with One sufficient Surety, in the Sum of One thousand Pounds, for the faithful and incorrupt Conduct of such Person and of his Clerks acting for him: Provided always, that such Bond shall not be required of any Person who shall be one of the Sworn Brokers of the City of *London*: Provided also, that all Licences heretofore granted by the Commissioners of Her Majesty's Customs to any Persons to act as Agents shall be valid and effectual, and all Bonds taken for the faithful and incorrupt Conduct of such Persons shall be and are hereby declared to be and remain in full Force and Effect; and if any Person shall act as such Agent, not being so licensed, or if any Person shall be in Partnership in such Agency with any Person not so licensed, such Person shall, in either Case, for every such Offence forfeit the Sum of One hundred Pounds.

Treasury may
revoke Licence.

CLIX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, by any

(1) See § 142.

(2) See § 162. as to Ireland and the Outports.

Order under their Hands, to revoke any such Licence, or any Licence heretofore granted by the Commissioners of Customs to any Person to act as an Agent for transacting such Business at the Custom House in the Port of *London*, and that after a Copy of such Order shall have been delivered to such Person or to his Clerk, or left at his usual Place of Abode or Business, such Licence shall be void.

LICENSED
AGENTS.
—

CLX. Provided always, and be it enacted, That nothing herein contained shall extend to prevent the Clerk or Servant of any Person or of any Persons in Copartnership from transacting any such Business, on account of such Person or Persons, without such Licence, provided such Clerk or Servant shall not transact any such Business as Clerk, Servant, or Agent to any other Person.

Not to extend
to Clerks or
Servants of
Individuals.

CLXI. And be it enacted, That it shall be lawful for any such Agent or Agents in Copartnership to appoint any Person without Licence, to be his or their Clerk in transacting such Agency: Provided always, that no Person shall be admitted to be such Clerk to more than One Agent or Copartnership of Agents, nor until his Name and Residence and the Date of his Appointment shall have been endorsed on the Licence of every such Agent, and signed by him, and witnessed by the Signature of the Collector and Comptroller of the Customs, unless such Person shall have been appointed with Consent of the Commissioners of Her Majesty's Customs before the Commencement of this Act.

Agent may
appoint Clerks
to act for him
only.

CLXII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury, by their Warrant, to be published in the *London* or *Dublin Gazette*, to extend the Regulations herein-before made relating to Agents in the Port of *London* to Agents at any other Port in *Great Britain*, or at any Port in *Ireland*.

Treasury may
extend Regula-
tions to other
Ports.

CLXIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Alteration of
Act.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXVII.

An Act for the Prevention of Smuggling.

[4th August 1845.]

WHEREAS an Act was passed in a Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Prevention of Smuggling*, whereby the Laws of Customs in relation to the Prevention of Smuggling were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of Advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein, and that all the Provisions thereof shall extend to any Law in force or hereafter to be made relating to the Customs.

3 & 4 W.4. c.53.

Commence-
ment of Act.

II. And be it enacted, That if any Vessel not being square-rigged (1), or any Boat, either belonging in the whole or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, shall be found or discovered to have been within One hundred

*Vessels and
Boats.*

Certain Vessels
belonging to
Her Majesty's

(1) For Restrictions as to Size of Vessels importing Spirits and Tobacco, see Cap. 86. § 63.

Vessels and Boats.

Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom, or of the Islands of Guernsey, Jersey, Alderney, Sark, or Man, with certain Goods on board, forfeited, together with the Goods.

Leagues of the Coast of the United Kingdom; or if any Vessel either belonging in the whole or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, or if any Foreign Vessel not being square-rigged, or any Foreign Boat, in which there shall be One or more Subjects of Her Majesty, shall be found or discovered to have been within Four Leagues of that Part of the United Kingdom which is between the North Foreland on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom; or if any Foreign Vessel or Boat shall be found or discovered to have been within One League of the Coast of the United Kingdom; or if any Vessel or Boat shall be found or discovered to have been within One League of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* respectively, or within any Bay, Harbour, River, or Creek of or belonging to any one of the said Islands; any such Vessel or Boat so found or discovered, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits (1) not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or Package containing Three hundred Pounds Weight of Tobacco or Snuff at least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, or any Cordage or other Articles adapted and prepared for slinging or sinking small Casks, or any Casks or other Vessels whatsoever of less Size or Content than Twenty Gallons, of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, or Snuff, and Tobacco Stalks, together with the Casks or Packages containing the same, and the Cordage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Vessel or Boat, shall be forfeited. (2)

Any Vessel or Boat arriving

III. And be it enacted, That if any Vessel or Boat whatever shall arrive or shall be found or discovered to

(1) For Relaxations of the Rules laid down in this and the next Section as to Spirits, Tea, and Tobacco, see § 4.

(2) For the Punishment of Persons found on board such Vessels as are mentioned in this Section, see § 50.

have been within any Port, Harbour, River, or Creek of the United Kingdom, or of the *Isle of Man*, not being driven thereto by Stress of Weather or other unavoidable Accident, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner within any such Port, Harbour, River, or Creek, any Spirits not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff not being in a Cask or Package containing Three hundred Pounds Weight of such Tobacco or Snuff at least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, every such Vessel or Boat, and such Spirits, Tobacco, Snuff, or Tobacco Stalks, shall be forfeited: Provided always, that if it shall be made appear to the Satisfaction of the Commissioners of Her Majesty's Customs that the said Spirits, Tobacco, Snuff, or Tobacco Stalks were on board without the Knowledge or Privity of the Owner or Master of such Vessel or Boat, and without any wilful Neglect or Want of reasonable Care on their or either of their Behalves, then and in such Case the said Commissioners shall and they are hereby authorized and required to deliver up the said Vessel or Boat to the Owner or Master of the same. (1)

*Vessels and
Boats.*

within any Port of the United Kingdom, or of the *Isle of Man*, having prohibited Goods on board or attached thereto, forfeited.

Proviso.

IV. And be it enacted, That nothing herein contained shall extend to render any Vessel of the Burden of One hundred and twenty Tons or upwards liable to Forfeiture on account of any Tobacco or Snuff coming direct from the *East Indies*, and being in Packages each containing One hundred Pounds Weight of Tobacco or Snuff at least, or on account of any Cigars being in Packages each containing One hundred Pounds Weight of Cigars at least, or on account of any Tobacco the Produce of *Mexico*, *Columbia*, the Continent of *South America*, or of the Islands of *Saint Domingo* or *Cuba*, coming direct from those Places respectively, or from the Warehouse in any *British Possession in America*, in Packages each containing Eighty Pounds Weight of Tobacco at least, or on account of any Negro-head Tobacco the Produce of and coming direct from the United States of *America*, in Packages each containing of

Certain Cases in which Vessels shall not be forfeited for having on board Tobacco, Snuff, Spirits, Tea, or Cigars.

(1) See §§ 53. and 54. as to the Penalty upon Persons found on board such Ships.

*Vessels and
Boats.*

such Tobacco One hundred and fifty Pounds Weight at least, or on account of any Tobacco of the Dominions of the *Turkish* Empire which may be separated or divided in any Manner within the outward Package, such outward Package being a Hogshhead, Cask, Chest, or Case containing of such Tobacco Three hundred Pounds Weight at least, nor to render any Vessel of Sixty Tons Burden or upwards liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles or in Stone Bottles, not exceeding the Size of Quart Bottles, such Tobacco, Snuff, Cigars, Tea, and Spirits being really Part of the Cargo of such Vessel, and included in the Manifest or other Papers of such Vessel enumerating or describing the Cargo thereof, nor to render any Vessel liable to Forfeiture on account of any Spirits, Tea, or Tobacco really intended for the Consumption of the Seamen and Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose, nor to render any Vessel liable to Forfeiture if really bound from one Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting. (1)

Vessels belong-
to Her Ma-
jesty's Subjects,
or having One
Half of the
Persons on
board Subjects
of Her Majesty,
throwing over-
board any
Goods during
Chase, forfeited,
and Persons
escaping deemed
Subjects.

V. And be it enacted, That when any Vessel or Boat belonging in the whole or in part to Her Majesty's Subjects, or having One Half of the Persons on board Subjects of Her Majesty, shall be found within One hundred Leagues of the Coast of the United Kingdom, and shall not bring to upon Signal made by any Vessel or Boat in Her Majesty's Service, or in the Service of the Revenue, hoisting the proper Pendant and Ensign in order to bring such Vessel or Boat to, and thereupon Chase (2) shall be given, if any Person or Persons on board such Vessel or Boat so chased shall, during the Chase, or before such Vessel or Boat shall bring to, throw overboard any Part of the Lading of such Vessel or Boat, or shall stave or destroy any Part of such Lading to prevent Seizure thereof, that then and in such Case the said Vessel or Boat shall be forfeited; and all Persons escaping from such Vessels or Boats, or from any Foreign Vessel or Boat, during any Chase made thereof by any Vessel or

(1) For the Restrictions upon the Importation of Spirits, Tea, and Tobacco, see Cap. 86. § 63.

(2) For the Punishment upon Persons found on board Vessels from which Part of the Lading is thrown to prevent Seizure, see § 50.

Boat in Her Majesty's Service, or in the Service of the Revenue, shall be deemed and taken to be Subjects of Her Majesty, unless it shall be proved to the contrary.

*Vessels and
Boats.*
—

VI. And be it enacted, That from and after the passing of this Act every Vessel not being square-rigged, and every Boat, belonging in the whole or in part to Her Majesty's Subjects, or having on board One or more of Her Majesty's Subjects, which shall be found or discovered to have been within Four Leagues of that Part of the United Kingdom which is between the North Foreland on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the United Kingdom, from which any Part of the Lading of such Vessel or Boat shall have been thrown overboard, or on board which Vessel or Boat any of the Goods on board shall be staved or destroyed, to prevent Seizure, shall be forfeited.

Certain Vessels from which Goods are thrown overboard to prevent Seizure to be forfeited.

VII. And be it enacted, That in case any Vessel or Boat liable to Seizure or Examination under any Act or Law for the Prevention of Smuggling shall not bring to when required so to do, on being chased by any Vessel or Boat in Her Majesty's Navy having the proper Pendant and Ensign of Her Majesty's Ships hoisted, or by any Vessel or Boat duly employed for the Prevention of Smuggling having a proper Pendant and Ensign hoisted, it shall be lawful for the Captain, Master, or other Person having the Charge or Command of such Vessel or Boat in Her Majesty's Navy, or employed as aforesaid, (first causing a Gun to be fired as a Signal,) to fire at or into such Vessel or Boat; and such Captain, Master, or other Person acting in his Aid or Assistance, or by his Direction, shall be and he is hereby indemnified and discharged from any Indictment, Penalty, Action, or other Proceeding for so doing.

Vessels to bring to on being chased by Vessels or Boats of the Navy or in Preventive Service; not bringing to, may be fired into.

VIII. And be it enacted, That if any Vessel or Boat whatever shall be found within the Limits of any Port of the United Kingdom with a Cargo on board, and such Vessel or Boat shall afterwards be found light or in Ballast, and the Master is unable to give a due Account of the Port or Place within the United Kingdom where such Vessel or Boat shall have legally discharged her Cargo, such Vessel or Boat shall be forfeited.

Vessels in Port with a Cargo, and afterwards found in Ballast and Cargo unaccounted for, forfeited.

*Vessels and
Boats.*

Regulations as
to Vessels sail-
ing from Guern-
sey, Jersey, &c.

IX. And be it enacted, That no Vessel or Boat belonging wholly or in part to Her Majesty's Subjects shall sail from *Guernsey, Jersey, Alderney, Sark, or Man* without a Clearance, whether in Ballast or having a Cargo, and if with Cargo the Master shall give Bond to Her Majesty in Double the Value of the Vessel or Boat and of the Cargo for duly landing the same at the Port for which the Vessel clears; and every such Vessel or Boat not having such Clearance, or which having a Clearance for a Cargo shall be found light or with any Part of her Cargo discharged before Delivery thereof at the Port specified in the Clearance (unless through Necessity or for Preservation of the Vessel or Boat, to be proved to the Satisfaction of the Commissioners of Her Majesty's Customs), shall be forfeited.

None of Her
Majesty's Sub-
jects to hoist in
their Vessels
the Union Jack,
or any Pen-
dants, &c.,
usually worn
in Her Ma-
jesty's Ships,
and prohibited
to be worn by
Proclamation of
1st January
1801, under a
Penalty not
exceeding 500*l*.

X. And whereas His late Majesty King *George* the Third by His Royal Proclamation, bearing Date the First Day of *January* One thousand eight hundred and one, was pleased, with the Advice of His Privy Council, to order and appoint what Ensign or Colours should be borne at Sea by Merchants Ships or Vessels belonging to any of His Majesty's Subjects of the United Kingdom of *Great Britain* and *Ireland*, and of the Dominions thereunto belonging, thereby charging and commanding all His Majesty's Subjects whatsoever that they should not presume to wear in any of their Ships or Vessels His Majesty's Jack commonly called the Union Jack, nor any Pendants nor any such Colours as are usually worn by His Majesty's Ships, without particular Warrant for their so doing from His Majesty, or His High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral for the Time being, and also commanding His Majesty's Subjects that without such Warrant as aforesaid they should not presume to wear on board their Ships or Vessels any Flags, Jacks, Pendants, or Colours made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, or any other Ensign than the Ensign described in the Margin of the said Proclamation; be it therefore enacted and declared, That from and after the passing of this Act it shall not be lawful for any of Her Majesty's Subjects whomsoever to hoist, carry, or wear in or on board any Ship, Vessel, or Fishing Boat, or any other Vessel or Boat whatever, whether Merchant or otherwise, belonging to any of Her

Majesty's Subjects, Her Majesty's Jack commonly called the Union Jack, or any Pendant or any such Colours as are usually worn by Her Majesty's Ships, or any Flag, Jack, Pendant, or Colours whatever made in imitation of or resembling those of Her Majesty, or any Kind of Pendant whatsoever, or any Ensign or Colours whatever, other than those prescribed by the said Proclamation; and that if any Person or Persons shall nevertheless presume to hoist, carry, or wear in or on board any Ship or Vessel, Fishing Boat, or other Vessel or Boat whatever, belonging to any of Her Majesty's Subjects, whether the same be Merchant or otherwise, Her Majesty's Jack commonly called the Union Jack, or any Pendant or Colours such as are commonly worn by Her Majesty's Ships, or any Jack, Flag, Pendant, or Colours whatever made in imitation of or resembling those of Her Majesty, or any Kind of Pendant whatever, without such Warrant as aforesaid, or any other Ensign or Colours than the Ensign or Colours prescribed by the said Proclamation to be worn, then and in every such Case the Master or other Person having Charge of such Ship, Vessel, or Boat, or the Owner or Owners thereof, being on board the same, and every other Person so offending, shall for every such Offence forfeit and pay a Sum not exceeding Five hundred Pounds, to be recovered, with Costs of Suit, either in the High Court of Admiralty of *England*, or in any Vice Admiralty Court in Her Majesty's Colonies, or in any of Her Majesty's Courts of Queen's Bench or Exchequer at *Westminster* or *Dublin*, at the Suit of Her Majesty's Attorney General, or in the Courts of Session or Exchequer in *Scotland* respectively; and that it shall be lawful for any Officer of Her Majesty's Navy or Marines belonging to any of Her Majesty's Ships, or any Officer of the Customs or Excise, to enter on board any Ship, Vessel, or Boat so hoisting, wearing, or carrying any Jack, Flag, Ensign, Pendant, or Colours prohibited by the said Proclamation, and by this Act to be hoisted, worn, or carried, and to seize and take away the same, and the same shall thereupon become forfeited.

XI. And be it enacted, That all Vessels and Boats made use of in the Removal, Carriage, or Conveyance of any Goods liable to Forfeiture under this or any other Act relating to the Revenue of Customs shall be forfeited.

Vessels and
Boats used in
Removal of run
Goods to be
forfeited.

*Vessels and
Boats.*

Boats of Vessels to have thereon the Name of Vessel, Port, and Master.

XII. And be it enacted, That the Owner of every Vessel belonging in the whole or in part to any of Her Majesty's Subjects shall paint or cause to be painted, upon the Outside of the Stern of every Boat belonging to such Vessel, the Name of such Vessel, and the Port or Place to which she belongs, and the Master's Name withinside the Transom, in White or Yellow Roman Letters, not less than Two Inches in Length, on a Black Ground, on pain of the Forfeiture of such Boat not so marked, wherever the same shall be found.

Boat not belonging to Ships to have Name of Owner and Port thereon.

XIII. And be it enacted, That the Owner of every Boat not belonging to any Vessel shall paint or cause to be painted upon the Stern of such Boat, in White or Yellow Roman Letters of Two Inches in Length on a Black Ground, the Name of the Owner or Owners of the Boat, and the Port or Place to which she belongs, on pain of the Forfeiture of such Boat not so marked wherever the same shall be found.

Vessels and Boats used in piloting or fishing to be painted Black, and not to be painted like Preventive Boats.

XIV. And be it enacted, That the Owner or Owners of every Vessel or Boat employed on the Coasts of the United Kingdom in piloting or fishing shall paint or tar every such Vessel or Boat, or cause the same to be painted or tarred, entirely Black, except the Name or other Description required by Law to be painted on such Vessel or Boat; and every such Vessel or Boat found not so painted or tarred, and every Boat so painted as to resemble any Boat usually employed for the Prevention of Smuggling, or in any other Employment in Her Majesty's Service, shall be forfeited: Provided always, that nothing herein contained shall extend to prevent any distinguishing Mark from being placed on any such Vessel or Boat, or to prevent any such Vessel or Boat from being otherwise painted, if the Commissioners of Her Majesty's Customs shall think proper to allow the same, and which shall be so expressed in the Licence of the said Vessel or Boat.

British Vessels having secret Places for concealing or Devices for running Goods, and Foreign Vessels not square-

XV. And be it enacted, That all Vessels and Boats belonging in the whole or in part to Her Majesty's Subjects having false Bulkheads, false Bows, double Sides or Bottoms, or any secret or disguised Place whatsoever in the Construction of such Vessels or Boats adapted for the Purpose of concealing Goods, or having any Hole, Pipe,

or other Device in or about such Vessels or Boats adapted for the Purpose of running Goods, shall be forfeited, with all the Guns, Furniture, Ammunition, Tackle, and Apparel belonging to such Vessels or Boats; and that all Foreign Vessels or Boats not being square-rigged coming to or arriving at any Port of the United Kingdom having on board any Goods liable to the Payment of Duties, or prohibited to be imported into the United Kingdom, concealed in false Bulkheads, false Bows, double Sides or Bottoms, or in any secret or disguised Place whatsoever in the Construction of such last-mentioned Vessels or Boats, shall be forfeited.

Vessels and Boats.

rigged having Goods in secret Places, forfeited.

XVI. And be it enacted, That all Vessels belonging in the whole or in part to Her Majesty's Subjects, not being square-rigged or propelled by Steam, and all Vessels belonging as aforesaid, whether propelled by Steam or otherwise, being of the Burden of One hundred and seventy Tons or less, of which the Length is to the Breadth in a greater Proportion than Three Feet Six Inches to One Foot, and all such last-mentioned Vessels carrying Arms for Resistance, and all Vessels of the Burden of One hundred and seventy Tons or more, belonging as aforesaid, armed with more than Two Carriage Guns of a Calibre exceeding Four Pounds, and with more than Two Muskets for every Ten Men, and all Boats, belonging as aforesaid, which shall be found within One hundred Leagues of the Coast of the United Kingdom, shall be forfeited, unless the Owners thereof shall have obtained a Licence from the Commissioners of Her Majesty's Customs in the Manner herein-after described.

Licences.

Vessels requiring a Licence.

XVII. And be it enacted, That every Vessel or Boat belonging in the whole or in part to Her Majesty's Subjects, or whereof One Half of the Persons on board shall be Subjects of Her Majesty, (not being a Lugger, and at the Time fitted and rigged as such,) which shall be navigated by a greater Number of Men (Officers and Boys included) than in the following Proportions; (that is to say,) if of Thirty Tons or under, and above Five Tons, Four Men; if of Sixty Tons or under, and above Thirty Tons, Five Men; if of Eighty Tons or under, and above Sixty Tons, Six Men; if of One hundred Tons or under, and above Eighty Tons, Seven Men; and above that

Vessels and Boats belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, not to be navigated with a greater Number of Persons than herein mentioned, unless licensed.

Licences.

Tonnage, One Man for every Fifteen Tons of such additional Tonnage; or, if a Lugger, then in the following Proportions; (that is to say,) if of Thirty Tons or under, Eight Men; if of Fifty Tons or under, and above Thirty Tons, Nine Men; if of Sixty Tons or under, and above Fifty Tons, Ten Men; if of Eighty Tons or under, and above Sixty Tons, Eleven Men; if of One hundred Tons or under, and above Eighty Tons, Twelve Men; and if above One hundred Tons, One Man for every Ten Tons of such additional Tonnage; which shall be found within One hundred Leagues of the Coast of the United Kingdom shall be forfeited, unless such Vessel, Boat, or Lugger shall be especially licensed for that Purpose by the Commissioners of Her Majesty's Customs.

Certain Particulars to be inserted in Licences for Vessels and Boats.

XVIII. And be it enacted, That every Licence granted by the Commissioners of Her Majesty's Customs for any Vessel or Boat requiring Licence under this Act shall contain the proper Description of such Vessel or Boat, the Name or Names of the Owner or Owners, with his or their Place or Places of Abode, and the Manner and the Limits in which the same is to be employed, and, if armed, the Numbers and Descriptions of Arms, and the Quantity of Ammunition, together with any other Particulars which the said Commissioners may require and direct, and that it shall be lawful for the said Commissioners to restrict the granting of a Licence for any Vessel or Boat in any way that they may deem expedient for the Security of the Revenue.

The Owner to give Security by Bond, with the Condition herein mentioned.

XIX. And be it enacted, That before any such Licence shall be issued or delivered, or shall have Effect for the Use of such Vessel or Boat, the Owner or Owners of every such Vessel or Boat shall give Security by Bond in the single Value of such Vessel or Boat, with Condition as follows; (that is to say,) that the Vessel or Boat shall not be employed in the Importation, landing, or removing of any prohibited or uncustomed Goods contrary to the true Intent and Meaning of this Act, or any other Act relating to the Customs or Excise, nor in the Exportation of any Goods which are or may be prohibited to be exported, nor in the re-landing of any Goods contrary to Law, nor shall receive or take on board or be found at Sea or in Port with any Goods subject to Forfeiture, nor shall do any Act contrary to this Act, or any Act here-

after to be made relating to the Customs or Excise, or for the Protection of the Trade and Commerce of the United Kingdom, nor shall be employed otherwise than mentioned in the Licence, and within the Limits therein mentioned; and in case of Loss, breaking up, or Disposal of the Vessel or Boat, that the Licence shall be delivered up within Six Months from the Date of such Loss, breaking up, or Disposal of such Vessel or Boat to the Collector or principal Officer of Customs at the Port at which such Vessel or Boat shall belong, and that no such Bond given in respect of any Boat shall be liable to any Stamp Duty.

Licences.
—

XX. And be it enacted, That nothing herein contained shall authorize the requiring any Bond in any higher Sum than One thousand Pounds, although the single Value of the Vessel or Boat for which such Licence is to be issued may be more than One thousand Pounds.

Penalty of
Bond not to
exceed 1,000*l*.

XXI. And be it enacted, That all Bonds given by Persons under the Age of Twenty-one Years, in pursuance of the Directions herein contained, shall be valid and effectual to all Intents and Purposes, any thing in any Act or any Law or Custom to the contrary in anywise notwithstanding.

Licence Bonds
given by Minors
to be valid.

XXII. And be it enacted, That when any Vessel or Boat shall be found or discovered to have been used or employed in any Manner or in any Limits other than such as shall be specified in the Licence hereby required, or if such Licence shall not be on board such Vessel or Boat, or shall not at any Time be produced and delivered for Examination to any Officer or Officers of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on full Pay, or any Officer of Customs or Excise demanding the same, then and in every such Case such Vessel or Boat, and all the Goods laden on board, shall be forfeited.

Vessels not to
be used in any
Manner not
mentioned in
the Licence,
which is to be
produced when
demanded.

XXIII. Provided always, and be it enacted, That nothing herein contained shall extend, or be deemed or taken to extend, to any Vessel, Boat, or Lugger belonging to any of the Royal Family, or being in the Service of the Navy, Victualling, Ordnance, Customs, Excise, or Post Office, nor to any Whale Boat or Boat solely employed in the Fisheries, nor to any Boat belonging to any

Certain Vessels,
Boats, and
Luggers not
required to be
licensed.

Licences.
—

square-rigged Vessel in the Merchant Service, nor to any Life Boat, nor to any Tow Boat belonging to licensed Pilots used in towing Vessels, nor to any Boat used solely in Rivers or Inland Navigation, nor to any Boats solely used in fishing on the Coast of *Ireland* or *Scotland*.

Penalty for
counterfeiting
or falsifying
Licences, or
making use
thereof.

XXIV. And be it enacted, That if any Person or Persons shall counterfeit, erase, alter, or falsify, or cause to be counterfeited, erased, altered, or falsified, any Licence so to be granted as aforesaid, or shall knowingly make use of any Licence so counterfeited, erased, altered, or falsified, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

How long
Bonds are to
be in force.

XXV. And be it enacted, That no Bond given on account of the Licence of any Vessel or Boat under this or any other Act for the Prevention of Smuggling shall be cancelled until the Space of Twelve Months after the Licence for which such Bond had been entered into shall have been delivered up to the proper Officer of the Customs; and such Bond shall remain in full Force and Effect for Twelve Months after the delivering up of the Licence as aforesaid.

Licences and
Bonds granted
previous to this
Act to continue
valid.

XXVI. And be it enacted, That all Licences for any Vessels or Boats granted in pursuance of any former Act relating to the Customs, or for the Prevention of Smuggling, shall continue valid for all the Purposes for which such Licences were required; and all Bonds given in pursuance of any such Act shall continue valid, and may be in force, any thing herein contained notwithstanding.

Provisions as to
Licences to extend
to Guernsey, &c.

XXVII. And be it enacted, That all the Provisions herein contained relating to the licensing of Vessels and Boats shall extend to the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*.

*Vessels and
Goods.*
—

Goods unshipped
without
Payment of
Duty, and prohibited
Goods,
liable to For-

XXVIII. And be it enacted, That if any Goods liable to the Payment of Duties shall be unshipped from any Vessel or Boat in the United Kingdom or the *Isle of Man*, (Customs or other Duties not being first paid or secured,) or if any prohibited Goods whatsoever shall be imported or brought into any Part of the United Kingdom, or of the *Isle of Man*, or if any Goods whatever which shall have

been warehoused or otherwise secured in the United Kingdom, or in the *Isle of Man*, either for Home Consumption or Exportation, shall be clandestinely or illegally removed from or out of any Warehouse or Place of Security, then and in every such Case all such Goods as aforesaid shall be forfeited, together with all Horses and other Animals, and all Carriages and other Things, made use of in the Removal of such Goods. (1)

*Vessels and
Goods.*

feiture, with
the Horses, &c.
used in Re-
moval.

XXIX. And be it enacted, That if any Goods which are subject to any Duty or Restriction in respect of Importation, or which are prohibited to be imported into the United Kingdom, shall be found or discovered to have been concealed (2) in any Manner on board any Vessel or Boat within the Limits of any Port of the United Kingdom or of the *Isle of Man*, or shall be found, either before or after landing, to have been concealed in any Manner on board such Vessel or Boat within such Limits as aforesaid, that then and in every such Case all such Goods, and all other Goods which shall be packed with or used in concealing them, shall be forfeited.

Goods con-
cealed on board
a Vessel for-
feited, and
all Goods
packed there-
with.

XXX. And be it enacted, That all Spirits and all Tobacco for which a Permit (3) is by Law required which shall be found removing without a legal Permit for the same shall be deemed to be Spirits or Tobacco respectively liable to and unshipped without Payment of Duty, unless the Party in whose Possession the same shall be found or seized shall prove to the contrary.

Spirits and To-
bacco found
removing with-
out a Permit
to be deemed
run.

XXXI. And be it enacted, That all Goods the Importation of which is in any way restricted, which are of a Description admissible to Duty, and which shall be found or seized in the United Kingdom or in the *Isle of Man* under any Law relating to the Customs or Excise, shall, for the Purpose of proceeding for the Forfeiture of them, or for any Penalty incurred in respect of them, be deemed to be and shall be described in any Information exhibited on account of such Forfeiture or Penalty as Goods liable to and unshipped without Payment of Duties.

Restricted
Goods to be
deemed run
Goods for the
Purpose of pro-
ceeding for
Forfeiture or
Penalty.

(1) For the Penalty upon Persons concerned in unshipping or harbouring such Goods, see § 46.

(2) See Cap. 86. § 14.

(3) As to Permits, see 2 W.4. c.16. § 11. and 3 & 4 Vict. c. 18. § 6.

Vessels and Goods.

Prohibited Goods shipped or waterborne with Intent to be exported, &c. forfeited, with all Goods packed therewith.

XXXII. And be it enacted, That if any Goods which are prohibited to be exported shall be put on board any Vessel or Boat with Intent to be laden or shipped for Exportation, or shall be brought to any Quay, Wharf, or other Place in the United Kingdom in order to be put on board any Vessel or Boat for the Purpose of being exported, or if any Goods which are prohibited to be exported shall be found in any Package produced to the Officer or Officers of Customs as containing Goods not so prohibited, then and in every such Case not only all such prohibited Goods, but also all other Goods packed therewith, shall be forfeited. (1)

Vessels, Boats, and Goods may be seized by Officers and Persons herein mentioned, and must be delivered to the proper Officer.

XXXIII. And be it enacted, That all Vessels and Boats, and all Goods whatsoever, liable to Forfeiture under this or any other Act relating to the Customs, shall and may be seized in any Place, either upon Land or Water, by any Officer or Officers of Her Majesty's Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on full Pay, or by any Officer or Officers of Customs or Excise, or by any Person having Authority to seize from the Commissioners of Her Majesty's Customs or Excise (2); and all Vessels, Boats, and Goods so seized shall, as soon as conveniently may be, be delivered into the Care of the proper Officer appointed to receive the same.

Powers given to Officers of Excise by 1 & 2 W. 4. c. 55. as to Seizure of private Stills, &c., extended to Officers of Customs.

XXXIV. And whereas by an Act passed in the First and Second Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to consolidate and amend the Laws for suppressing the illicit making of Malt and Distillation of Spirits in Ireland*, Officers of Excise are authorized to search for private Stills, Wort, Wash, Pot Ale, Low Wines, or Singlings, or Spirits, and Corn or Grain making into Malt, and to arrest and detain Persons discovered in the Place where private Distillation of Spirits or making of Malt is carrying on: And whereas it is expedient to extend the like Powers to Officers of Customs; be it therefore enacted, That all the Powers, Authorities, and Privileges granted to Officers of Excise by the said recited Act may and shall be exercised by Officers of Customs as fully and effectually as if the Clauses in the

(1) See Cap. 86. §§ 84. 112.

(2) See Cap. 86. § 146.

said Act had been repeated and re-enacted in the Body of this Act, and made to apply to Officers of Customs.

*Vessels and
Goods.*

XXXV. And be it enacted, That if any Officer or Officers of the Customs or Excise, or any Officer or Officers of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or any other Person or Persons whomsoever duly employed for the Prevention of Smuggling, shall make any collusive Seizure, or deliver up or make any Agreement to deliver up or not to seize, any Vessel or Boat, or any Goods liable to Forfeiture, or shall take any Bribe, Gratuity, Recompence, or Reward for the Neglect or Nonperformance of his Duty, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving Her Majesty in any Office whatever, either Civil or Military; and every Person who shall give or offer, or promise to give or procure to be given, any Bribe, Recompence, or Reward to, or shall make any collusive Agreement with, any such Officer or Person as aforesaid, to induce him in any way to neglect his Duty, or to do, conceal, or connive at any Act whereby any of the Provisions of any Act of Parliament relating to the Customs may be evaded, shall forfeit the Sum of Two hundred Pounds. (1)

Penalty on
Officers and
Persons making
collusive Sei-
zures, or taking
Bribes, and on
Persons offering
them

XXXVI. And be it enacted, That it shall and may be lawful to and for any Officer or Officers of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on full Pay, or for any Officer or Officers of Customs, producing his or their Warrant or Deputation (if required), to go on board (2) any Vessel which shall be within the Limits of any of the Ports of the United Kingdom, and to rummage and to search the Cabin and all other Parts of such Vessel for prohibited or uncustomed Goods, and to remain on board such Vessel during the whole Time that the same shall continue within the Limits of such Port, and also to search any Person or Persons either on board or who shall have landed from any Vessel, provided such Officer or Officers shall have good Reason to suppose that such Person or Persons hath or have any uncustomed or prohibited Goods secreted

Vessels may be
searched within
the Limits of
the Ports, as
also Persons on
board, or who
may have
landed from
them, if the
Officers have
Reason to sus-
pect Goods are
concealed about
their Persons.

(1) See Cap. 85. § 8. See also § 77. of this Act.

(2) See Cap. 86. § 14.

*Vessels and
Goods.*

about his, her, or their Person or Persons; and if any Person shall obstruct any such Officer or Officers in going or remaining on board, or in entering or searching such Vessel or Person, every such Person shall forfeit and lose the Sum of One hundred Pounds.

Before Persons are searched, they may require to be taken before a Justice or a Superior Officer of Customs, who shall determine whether there are reasonable Grounds of Suspicion.

XXXVII. And be it enacted, That before any Person shall be searched by any such Officer or Officers as aforesaid it shall be lawful for such Person to require such Officer or Officers to take him or her before any Justice of the Peace, or before the Collector, Comptroller, or other Superior Officer of the Customs, who shall determine whether there is reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person; and if it shall appear to such Justice, Collector, Comptroller, or other Superior Officer of Customs that there is reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, then such Justice, Collector, Comptroller, or other Superior Officer of Customs shall direct such Person to be searched in such Manner as he shall think fit; but if it shall appear to such Justice, Collector, Comptroller, or other Superior Officer of Customs that there is not reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, then such Justice, Collector, Comptroller, or other Superior Officer of Customs shall forthwith discharge such Person, who shall not in such Case be liable to be searched; and every such Officer or Officers as aforesaid is and are hereby authorized and required to take such Person, upon demand, before any such Justice, Collector, Comptroller, or other Superior Officer of Customs, detaining him or her in the meantime: Provided always, that no Person being a Female shall be searched by any other Person than a Female duly authorized for that Purpose by the Commissioners of Her Majesty's Customs.

Penalty on Officers for Misconduct with respect to Search.

XXXVIII. And be it enacted, That if any such Officer or Officers shall not take such Person with reasonable Despatch before such Justice, Collector, Comptroller, or other Superior Officer of Customs, when so required, or shall require any Person to be searched by him, not having reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, such Officer shall forfeit and pay the Sum of Ten Pounds.

XXXIX. And be it enacted, That if any Passenger or other Person on board any Vessel or Boat shall, upon being questioned by any Officer or Officers of Her Majesty's Customs whether he or she has any Foreign Goods upon his or her Person, or in his or her Possession, deny the same, and any such Goods shall, after such Denial, be discovered upon his or her Person, or in his or her Possession, such Goods shall be forfeited, and such Person shall forfeit Treble the Value of such Goods.

*Vessels and
Goods.*

Penalty on
Persons on
board denying
having Foreign
Goods about
them.

XL. And be it enacted, That it shall and may be lawful for any Officer or Officers of Customs, or Person acting under the Direction of the Commissioners of Her Majesty's Customs, having a Writ of Assistance under the Seal of Her Majesty's Court of Exchequer, to take a Constable, Headborough, or other public Officer inhabiting near the Place, and in the Daytime to enter into and search any House, Shop, Cellar, Warehouse, Room, or other Place, and in case of Resistance to break open Doors, Chests, Trunks, and other Packages, there to seize and from thence to bring any uncustomed or prohibited Goods, and to put and secure the same in the Custom House Warehouse in the Port next to the Place from whence such Goods shall be so taken as aforesaid: Provided always, that for the Purposes of this Act any such Constable, Headborough, or other public Officer, duly sworn as such, may act as well without the Limits of any Parish, Ville, or other Place for which he shall be so sworn as within such Limits.

Officers autho-
rized by Writ
of Assistance,
and having a
Peace Officer,
may search
Houses for
uncustomed or
prohibited
Goods, and
break open
Doors and
Packages to
seize such
Goods.

XLI. And be it enacted, That all Writs of Assistance so issued from the Court of Exchequer as aforesaid shall continue and be in force during the whole of the Reign in which such Writs shall have been granted, and for Six Months from the Conclusion of such Reign.

Duration of
Writs of As-
sistance.

XLII. And be it enacted, That it shall be lawful for any Officer of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, upon reasonable Suspicion, to stop and examine any Cart, Waggon, or other Means of Conveyance, for the Purpose of ascertaining whether any smuggled Goods are contained therein; and if no such Goods shall be found, then and in such Case the Officer or other Person so stopping and examining such

Officers of
Customs or
Excise may, on
probable Cause,
stop Carts, &c.,
and search for
Goods.

*Vessels and
Goods.*
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Cart, Waggon, or other Conveyance, having had probable Cause to suspect that such Cart, Waggon, or other Conveyance had smuggled Goods contained therein, shall not, on account of such Stoppage and Search, be liable to any Prosecution or Action at Law on account thereof; and all Persons driving or conducting such Cart, Waggon, or other Conveyance, refusing to stop when required so to do in the Queen's Name, shall forfeit the Sum of One hundred Pounds.

Police Officers
seizing Goods
to carry them
to the Custom
House Ware-
house.

XLIII. And be it enacted, That if any Goods subject or liable to Forfeiture under this or any other Act relating to the Customs shall be stopped or taken by any Police Officer, or other Person acting by virtue of any Act of Parliament, or otherwise duly authorized, such Goods shall be carried to the Custom House Warehouse next to the Place where the Goods were stopped or taken, and there delivered to the proper Officer appointed to receive the same, within Forty-eight Hours after the said Goods were stopped and taken.

Goods stopped
by Police Offi-
cers may be
retained until
Trial of Per-
sons charged
with stealing
them.

XLIV. And be it enacted, That if any such Goods shall be stopped or taken by such Police Officer on Suspicion that the same had been feloniously stolen, it shall be lawful for the said Officer to carry the same to the Police Office to which the Offender is taken, there to remain until and in order to be produced at the Trial of the said Offender; and in such Case the Officer is required to give Notice in Writing to the Commissioners of Her Majesty's Customs of his having so detained the said Goods, with the Particulars of the same; and immediately after the Trial of such Offender all such Goods shall be conveyed to and deposited in the Custom House Warehouse as aforesaid, to be proceeded against according to Law; and in case any Police Officer making Detention of any such Goods shall neglect to convey the same to such Warehouse, or to give the Notice of having stopped the same as before described, such Officer shall forfeit the Sum of Twenty Pounds.

Commissioners
of Treasury, or
Commissioners
of Customs or
Excise, may

XLV. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, for the Time being, or for the Commissioners of Her Majesty's Customs or Excise,

by any Order made for that Purpose (1) under their Hands, to direct any Vessel, Boat, Goods, or Commodities whatever seized under this or any Act relating to the Customs or Excise, or to the Trade or Navigation of the United Kingdom, or to any of Her Majesty's Possessions abroad, to be delivered to the Proprietor or Proprietors thereof, whether Condemnation shall have taken place or not, and also to mitigate or remit any Penalty or Fine, or any Part of any Penalty or Fine, incurred under any such Act as last aforesaid, or to release from Confinement any Person or Persons committed under this or any Act relating to the Customs, on such Terms and Conditions as to them respectively shall appear to be proper: Provided always, that no Person shall be entitled to the Benefit of any Order for such Delivery, Mitigation, Remission, or Release, unless such Terms and Conditions are fully and effectually complied with.

Vessels and Goods.

—
restore Seizures,
and mitigate or
remit Punish-
ments and
Penalties.

XLVI. And be it enacted, That every Person who shall, either in the United Kingdom or the *Isle of Man*, unship or assist or be otherwise concerned in the unshipping of any Goods which are prohibited to be imported into the United Kingdom or into the *Isle of Man*, or the Duties for which have not been paid or secured, or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, any Goods which shall have been illegally unshipped without Payment of Duties, or which shall have been illegally removed, without Payment of the same, from any Warehouse or Place of Security in which they may have been deposited, or any Goods prohibited to be imported, or to be used or consumed in the United Kingdom or in the *Isle of Man*, and every Person, either in the United Kingdom or in the *Isle of Man*, to whose Hands and Possession any such prohibited or uncustomed Goods shall knowingly come, or who shall assist or be in anywise concerned in the illegal Removal of any Goods from any Warehouse or Place of Security in which they shall have been deposited as aforesaid, shall forfeit either the Treble Value thereof, or the Penalty of One hundred Pounds, at the Election of the Commissioners of Her Majesty's Customs.

Penalties.

—
Persons unship-
ping, harbour-
ing, or having
Custody of any
prohibited or
uncustomed
Goods to forfeit
the Value, or
100*l*.

(1) See Cap. 86. §§ 147, 148.

Penalties.

How Value is
to be ascer-
tained.

XLVII. And be it enacted and declared, That in all Cases where any Penalty, the Amount of which is at any Time to be determined by the Value of any Goods, is directed to be sued for under any Act relating to the Customs or Excise, such Value shall, as regards Proceedings in any of Her Majesty's Courts of Record at *Westminster, Dublin, or Edinburgh*, or in the Royal Courts of *Guernsey, Jersey, Alderney, Sark, or Man*, be estimated and taken according to the Rate and Price which Goods of the like Sort or Denomination of the best Quality, and upon which the Duties of Importation shall have been paid, were sold for in *London, Dublin, Edinburgh*, or at the Islands of *Guernsey, Jersey, Alderney, Sark, or Man* respectively at or about the Time of the Commission of the Offence (as the Penalty may have been incurred in *England, Ireland, Scotland*, or at any of the said Islands respectively), and that as regards Proceedings before Magistrates such Value shall be estimated and taken in the like Manner according to the Rate and Price for which such Goods were sold in some Town at or near to the Place where the Offence shall have been committed.

Persons insur-
ing the Delivery
of prohibited or
uncustomed
Goods to forfeit
500*l*.

XLVIII. And be it enacted, That every Person who, by way of Insurance or otherwise, shall undertake or agree to deliver any Goods to be imported from Parts beyond the Seas into any Port or Place in the United Kingdom without paying the Duties due thereon on such Importation, or any prohibited Goods, or who, in pursuance of such Insurance or otherwise, shall deliver or cause to be delivered any uncustomed or prohibited Goods, and every Aider or Abettor of such Person, shall for every such Offence forfeit the Sum of Five hundred Pounds, over and above any other Penalty to which by Law he may be liable; and every Person who shall agree to pay any Money for the Insurance or conveying of such Goods, or shall receive or take such Goods into his Custody or Possession, or suffer the same to be so received or taken, shall also forfeit Five hundred Pounds, over and above any Penalty to which by Law he may be liable on account of such Goods.

Penalty on
Persons offering
Goods for Sale
under pretence
of being run or
prohibited.

XLIX. And be it enacted, That if any Person or Persons shall offer for Sale any Goods under pretence that the same are prohibited or have been unshipped and run on shore without Payment of Duties, that then and in such

Case all such Goods (although not liable to any Duties or prohibited) shall be forfeited, and the Person or Persons, and every of them, offering the same for Sale shall forfeit the Treble Value of such Goods, or the Penalty of One hundred Pounds, at the Election of the Commissioners of Her Majesty's Customs.

Penalties.
—

L. And be it enacted, That every Person, being a Subject of Her Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under this or any Act relating to the Customs for being found or discovered to have been within any of the Distances in this Act mentioned from the United Kingdom or from the *Isle of Man*, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been, within any such Distances as aforesaid, on board any Vessel or Boat from which any Part of the Cargo or Lading of such Vessel or Boat shall have been thrown overboard, or staved or destroyed, to prevent Seizure, and every Person, not being a Subject of Her Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture for any of the Causes last aforesaid within One League of the Coast of the United Kingdom or of the *Isle of Man*, shall, upon being duly convicted of any of the said Offences before any Two Justices of the Peace, be adjudged by such Justices for the First of such Offences to be imprisoned in any House of Correction, and there kept to hard Labour for any Term not less than Six nor greater than Nine Calendar Months, and for the Second of such Offences for any Term not less than Nine nor greater than Twelve Calendar Months, and for the Third or any subsequent Offence for Twelve Calendar Months; and it shall be lawful for any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer or Officers of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and he and they is and are hereby authorized, empowered, and required to detain every such Person, and to take such Person before any Justice of the Peace in the United Kingdom or in the *Isle of Man*, to be dealt with

Persons found or discovered to have been on board Vessels liable to Forfeiture for being found within certain Limits of the Coast, subject to be committed to any House of Correction.

Penalties.

as herein-after directed (1): Provided always, that any such Person proving to the Satisfaction of any Justice or Justices before whom he may be brought that he was only a Passenger in such Vessel or Boat, and had no Interest whatever either in the Vessel or Boat, or in the Cargo, or any Goods on board the same, shall be forthwith discharged by such Justice or Justices.

Persons unshipping, or concerned in the carrying away or concealing, Spirits or Tobacco, to forfeit 100*l.*, and may be detained.

LI. And be it enacted, That every Person whatsoever who shall unship, or be aiding, assisting, or concerned in the unshipping of any Spirits or Tobacco liable to Forfeiture under this or any other Act relating to the Customs or Excise, either in the United Kingdom or in the *Isle of Man*, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of any such Spirits or Tobacco, shall forfeit for such Offence the Sum of One hundred Pounds; and every such Person may be detained by any Officer or Officers of Her Majesty's Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and taken before any Justice of the Peace in the United Kingdom or in the *Isle of Man*, to be dealt with as herein-after directed. (2)

Persons carrying, &c. Tea or manufactured Silk, to forfeit Treble the Value, and to be liable to Detention.

LII. And be it enacted, That every Person whatsoever who shall unship, or be aiding, assisting, or otherwise concerned in the unshipping of any Tea or Foreign manufactured Silk of the Value of Twenty Pounds liable to Forfeiture under any Act relating to the Customs or Excise, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of such Tea or Silk, shall forfeit for every such Offence Treble the Value thereof; and every such Person shall and may be detained by any Officer or Officers of Her Majesty's Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or by any other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and taken before any Justice of the Peace

(1) See Sections 57. and 88.

(2) See Sections 57. and 88.

in the United Kingdom or the *Isle of Man*, to be dealt with as herein-after directed (1): Provided always, that it shall and may be lawful for such Person so detained to give Security in Treble the Amount of the Goods seized by Recognizance or otherwise, to the Satisfaction of such Justice of the Peace, to appear at a Time and Place to be by him appointed.

Penalties.
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LIII. And be it enacted, That every Person who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under this or any Act or Acts relating to the Customs for being found or discovered to have been within any Port, Harbour, River, or Creek of the United Kingdom or of the *Isle of Man*, not being driven therinto by Stress of Weather or other unavoidable Accident, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been on board any of Her Majesty's Ships or Vessels, or on board any Ship or Vessel in Her Majesty's Employment or Service, or on board of any Foreign Post Office Packet, being a national Vessel employed in carrying the Mails between any Foreign Country and the United Kingdom, such last-mentioned Ships, Vessels, or Packets being found or discovered to have been within any Port, Harbour, River, or Creek of the United Kingdom or of the *Isle of Man*, not being driven therein by Stress of Weather or other unavoidable Accident, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff not being in a Cask or Package containing Three hundred Pounds Weight of such Tobacco or Snuff at least, or being separated or divided in any Manner within any Cask or Package, shall forfeit the Sum of One hundred Pounds; and it shall be lawful for any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer or Officers of Customs or Excise, or other

Persons found or discovered to have been on board Vessels found within a Port of the United Kingdom or the *Isle of Man* with certain contraband Articles on board subject to a Penalty of 100*l.*, and to Detention.

(1) See Section 88.

Penalties.

Persons acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and he and they is and are hereby authorized, empowered, and required, to detain every such Person, and to take such Person before any Justice of the Peace in the United Kingdom or in the *Isle of Man*, to be dealt with as herein-after directed.

Parties not liable to Penalties or Detention unless concerned in bringing in the Goods.

LIV. Provided always, and be it enacted and declared, That no Person shall be liable to any Penalty for or to be detained on account of any such Offence as is herein-before lastly mentioned, unless there shall be reasonable Ground to believe that such Person was the Owner of such Goods, or was concerned in bringing the same into such Ports and other Places as are herein-before mentioned, or in concealing the same, nor on account of any Spirits, Tobacco, or Snuff, being Stores, or being in Vessels or Packages of a Content or Size permitted by Law.

Persons in Her Majesty's Naval Service detained under Revenue Laws to be secured on board until a Justice's Warrant procured.

LV. And be it enacted, That where any Persons or Person, being Part of the Crew of any Ship or Vessel in Her Majesty's Employment or Service, and liable to Detention by any Officer or Officers of the Customs, shall have been detained under any Law or Laws relating to the Customs, such Person or Persons, upon Notice thereof given by such Officer or Officers of Customs to the Captain or Commanding Officer of the Ship or Vessel, shall be placed in Security by such Captain or Commanding Officer on board such Ship or Vessel until the Officer or Officers of Customs shall have obtained a Warrant from a Justice of the Peace for bringing the said Offender or Offenders before him or any Two or more Justices of the Peace, to be dealt with according to Law, which said Warrant such Justice of the Peace is hereby authorized and required to grant, upon Complaint made to him by such Officer or Officers of Customs, stating the Offence for which such Person or Persons is or are liable to Detention as afore-said.

Persons assembled, to the Number of Three or more, to run Spirits,

LVI. And be it enacted, That all Persons assembled, to the Number of Three or more (1), for the Purpose of unshipping, carrying, conveying, or concealing any Spirits or Tobacco, or any Tea or Silk (such Tea or Silk being

(1) See § 63. as to such Persons when armed.

of the Value of Twenty Pounds or more), liable to Forfeiture under this Act, or any other Act or Acts relating to the Customs or Excise, and every Person who shall by any Means procure or hire, or shall depute or authorize any other to procure or hire, any Person or Persons to assemble for the Purpose of being concerned in the landing or unshipping, or carrying, conveying, or concealing, any Goods which are prohibited to be imported, or the Duties for which have not been paid or secured, and that every Person who shall obstruct any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on full Pay, or any Officer or Officers of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his or their Duty, or in the due seizing of any Goods liable to Forfeiture by this Act, or any other Act or Acts relating to the Customs, or who shall rescue or cause to be rescued any Goods which have been duly seized, or who shall attempt or endeavour to do, or who shall before or at or after any Seizure stave, break, or otherwise destroy any Goods to prevent the Seizure thereof or the securing the same, shall, upon being duly convicted of any of the said Offences before any Two Justices of the Peace, be adjudged by such Justices for the First Offence to be imprisoned in any House of Correction, and there kept to hard Labour for any Term not less than Six nor greater than Nine Calendar Months, and for the Second Offence for any Term not less than Nine nor greater than Twelve Calendar Months, and for the Third or any subsequent Offence for Twelve Calendar Months.

LVII. And be it enacted, That whenever any Person shall have been detained and taken before any Justice of the Peace for being found or discovered to have been on board any Vessel or Boat within any Port, Harbour, River, or Creek of the United Kingdom or of the *Isle of Man*, such Vessel or Boat having on board or having had on board Spirits or Tobacco in such Casks or Packages as would, under this or any other Act relating to Customs, subject the same to Forfeiture, or for unshipping, or for aiding, assisting, or being concerned in the unshipping of any Spirits or Tobacco liable to Forfeiture under this or any other Act relating to the Customs or Excise, or for carrying, conveying, or concealing, or for aiding, assisting,

Penalties.

Tea, Tobacco,
or Silk ;

or procuring
others to as-
semble to run
Goods ;

or obstructing
Officers in the
Execution of
their Duty.

to be sent to
the House of
Correction to
hard Labour.

Authorizing
Magistrates to
proceed to Con-
viction of
Smugglers in
certain Cases
without an
Order from the
Board of Cus-
toms.

Penalties.

or being concerned in the carrying, conveying, or concealing of any such Spirits or Tobacco, and it shall appear to such Justice that the Quantity of Spirits in respect of which such Person has been so detained does not exceed One Gallon, or that the Quantity of Tobacco in respect of which such Person has been so detained does not exceed Six Pounds Weight, it shall and may be lawful for such Justice and he is hereby authorized to proceed summarily upon the Case without any Information, and although no Direction shall have been given by the Commissioners of Her Majesty's Customs, and to convict such Person of such Offence, and to adjudge that such Person shall, in lieu of any other Penalty, forfeit any Sum of Money not exceeding Five Pounds, and in default of Payment of such Sum of Money to commit such Person to any of Her Majesty's Gaols for any Time not exceeding One Month.

Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, such Justice may order them to be detained a reasonable Time.

LVIII. And whereas it is expedient that Time should be allowed to obtain the Order of the Commissioners of Customs or Excise as herein-after directed (1), and also to prepare Informations, Convictions, and Warrants of Commitment; be it enacted, That when any Person or Persons shall have been detained by any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer of Customs or Excise, or any Person or Persons acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, for any Offence against this or any other Act or Acts relating to the Customs, and shall have been taken before any Justice of the Peace, if it shall appear to such Justice that there is reasonable Cause to detain such Person or Persons, such Justice may and he is hereby authorized and required to order such Person or Persons to be detained a reasonable Time, and at the Expiration of such Time to be brought before any Two Justices of the Peace, who are hereby authorized and required finally to hear and determine the Matter.

Any Person liable to be arrested making his Escape may afterwards be detained by any

LIX. And be it enacted, That if any Person or Persons liable to be detained under the Provisions of this or any other Act relating to the Customs shall not be detained at the Time of so committing the Offence for which he or they is or are so liable, or after Detention shall make his

or their Escape, it shall and may be lawful for any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or for any Officer of Customs or Excise, or any other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, to detain such Person so liable to Detention as aforesaid at any Time afterwards, and to take him before any Justice of the Peace, to be dealt with as if detained at the Time of committing the said Offence. (1)

Penalties.

Officer of the
Customs.

LX. And be it enacted, That no Person shall, after Sunset and before Sunrise, between the Twenty-first Day of *September* and the First Day of *April*, or after the Hour of Eight in the Evening and before the Hour of Six in the Morning at any other Time in the Year, make, aid or assist in making, any Signal in or on board or from any Vessel or Boat, or on or from any Part of the Coast or Shore of the United Kingdom, or within Six Miles of any Part of such Coast or Shore, for the Purpose of giving any Notice to any Person on board any Smuggling Vessel or Boat, whether any Person so on board of such Vessel or Boat be or be not within Distance to notice any such Signal, and if any Person, contrary to the true Intent and Meaning of this Act, make or cause to be made, or aid or assist in making, any such Signal, such Person so offending shall be guilty of a Misdemeanor, and it shall be lawful for any Person to stop, arrest, and detain the Person or Persons who shall so offend, and to carry and convey such Person or Persons so offending before any One or more of Her Majesty's Justices of the Peace residing near the Place where such Offence shall be committed, who, if he sees Cause, shall commit the Offender to the next County Gaol, there to remain until the next Court of Oyer and Terminer, Great Session, or Gaol Delivery, or until such Person or Persons shall be delivered by due Course of Law; and it shall not be necessary to prove on any Indictment or Information that any Vessel or Boat was actually on the Coast; and the Offender or Offenders, being duly convicted thereof, shall, by Order of the Court before whom such Offender or Offenders shall be convicted, either forfeit and pay the Penalty or Forfeiture of One

Persons making
Signals to
Smuggling
Vessels at Sea
may be de-
tained, and, on
Conviction, to
forfeit 100*l.* or
be kept to hard
Labour for One
Year.

(1) As to further Time within which to exhibit Information in such Cases, see § 135.

Penalties.

hundred Pounds, or, at the Discretion of such Court, be sentenced or committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Term not exceeding One Year.

Proof of a Signal not being intended to lie on the Defendant.

LXI. Provided always, and be it enacted, That in case any Person be charged with or indicted for having made or caused to be made, or for aiding or assisting in making, any such Signal as aforesaid, the Burden of Proof that such Signal so charged as having been made with Intent and for the Purpose of giving such Notice as aforesaid was not made with such Intent and for such Purpose shall be upon the Defendant against whom such Charge is made or such Indictment is found.

Any Person may prevent Signals, and enter upon Lands for that Purpose.

LXII. And be it enacted, That it shall be lawful for any Person whatsoever to prevent any Signal being made as aforesaid, and to enter and go into and upon any Lands for that Purpose without being liable or subject to any Indictment, Suit, or Action for the same.

Felonies.

Three or more armed Persons assembled to assist in the illegal landing of any Goods, or in the rescuing of Goods, seized, to be deemed guilty of Felony.

LXIII. And be it enacted, That if any Persons, to the Number of Three or more, armed with Fire-arms or other offensive Weapons, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be assembled in order to be aiding and assisting in the illegal landing, running, or carrying away of any prohibited Goods, or any Goods liable to any Duties which have not been paid or secured, or in rescuing or taking away any such Goods as aforesaid after Seizure from the Officer of the Customs, or other Officer authorized to seize the same, or from any Person or Persons employed by them or assisting them, or from the Place where the same shall have been lodged by them, or in rescuing any Person who shall have been apprehended for any of the Offences made Felony by this or any Act relating to the Customs, or in the preventing the Apprehension of any Person who shall have been guilty of such Offence, or in case any Persons, to the Number of Three or more, so armed as aforesaid, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be so aiding or assisting, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being thereof convicted, be adjudged guilty of Felony, and shall be liable,

at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Felonies.
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LXIV. And be it enacted, That if any Person shall maliciously shoot at any Vessel or Boat belonging to Her Majesty's Navy, or in the Service of the Revenue, within One hundred Leagues of any Part of the Coast of the United Kingdom, or shall maliciously shoot at, maim, or dangerously wound any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or any Person acting in his Aid or Assistance, or duly employed for the Prevention of Smuggling, in the due Execution of his Office or Duty, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being lawfully convicted, be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Persons shoot-
ing at any
Boat belonging
to the Navy, or
in the Service
of the Revenue,
deemed guilty
of Felony.

LXV. And be it enacted, That if any Person being in company with more than Four other Persons be found with any Goods liable to Forfeiture under this or any other Act relating to the Customs or Excise, or in company with One other Person, within Five Miles of the Sea Coast, or of any navigable River leading therefrom, with such Goods, and carrying offensive Arms or Weapons, or disguised in any way, every such Person shall be adjudged guilty of Felony, and shall, on Conviction of such Offence, be transported as a Felon for the Term of Seven Years.

Any Person in
company with
more than Four
others having
Goods liable to
Forfeiture, or
with One other
armed or dis-
guised, guilty
of Felony.

LXVI. And be it enacted, That if any Person shall by Force or Violence assault, resist, oppose, molest, hinder, or obstruct any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or

Officers.
—

Persons assault-
ing Officers by
Force or Vio-
lence may be
transported.

Officers.
—

other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the due Execution of his or their Office or Duty, such Person, being thereof convicted, shall be transported for Seven Years, or sentenced to be imprisoned in any House of Correction or Common Gaol, and kept to hard Labour, for any Term not exceeding Three Years, at the Discretion of the Court before whom the Offender shall be tried and convicted as aforesaid.

Commanding Officers of Vessels in the Service may haul their Vessels on shore without being liable to any Action for so doing.

LXVII. And be it enacted, That it shall and may be lawful to and for the Commanding Officer for the Time being of any Vessel or Boat employed for the Prevention of Smuggling to haul any such Vessel or Boat upon any Part of the Coasts of the United Kingdom, or the Shores, Banks, or Beaches of any River, Creek, or Inlet of the same (not being a Garden or Pleasure Ground, or Place ordinarily used for any Bathing Machine or Machines,) which shall be deemed most convenient for that Purpose, and to moor any such Vessel or Boat on such Part of the aforesaid Coasts, Shores, Banks, and Beaches below High-water Mark, and over which the Tide flows on ordinary Occasions, and to continue such Vessel or Boat so moored as aforesaid for such Time as the said Commanding Officer shall deem necessary and proper; and such Commanding Officer, or Person or Persons acting under his Direction, shall not be liable to any Indictment, Action, or Suit for so doing, any Law, Statute, Custom, or Usage to the contrary notwithstanding.

Officers of the Army, &c. may patrol the Coasts of the United Kingdom without being liable to Action.

LXVIII. And be it enacted, That it shall be lawful to and for any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or for any Officer of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, when on Duty to patrol upon and pass freely along and over any Part of the Coasts of the United Kingdom, or the Shores or Banks of any River, Creek, or Inlet of the same, (not being a Garden or Pleasure Ground,) and any such Officer or Person so patrolling shall not be liable to any Indictment, Action, or Suit for so doing, any Law, Statute, Custom, or Usage to the contrary notwithstanding.

LXIX. And be it enacted, That in all Cases when any Officer or Seaman employed in the Service of the Customs or Excise shall be killed, maimed, wounded, or in any way injured in the due Execution of his Office, or if any Person acting in his Aid, or duly employed for the Prevention of Smuggling, shall be so killed, maimed, wounded, or in any way injured while so aiding such Officer or Seaman, or so employed, it shall and may be lawful for the Commissioners of Her Majesty's Customs and Excise respectively to make such Provision for the Officer or Person so maimed, wounded, or injured as aforesaid, or for the Widows and Families of such as shall be killed, as they shall be authorized and empowered to do by Warrant from the Commissioners of Her Majesty's Treasury for the Time being.

Officers.

Officers, if wounded in the Service of the Customs, to be provided for, &c.

LXX. And be it enacted, That all Vessels and Boats and all Goods whatsoever which shall have been seized and condemned for Breach of any Law relating to the Customs shall be disposed of, as soon as conveniently may be after the Condemnation thereof, in such Manner as the Commissioners of Her Majesty's Customs shall direct.

Vessels and Goods seized may be disposed of as Commissioners of Customs direct.

LXXI. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Customs, and they are hereby authorized and empowered, to award to any Officer or other Person detaining any Person liable to Detention under this or any other Act relating to the Customs, to be paid upon the Conviction of such Person, any Reward (1) they may think fit to direct, not exceeding the Sum of Twenty Pounds for each Person.

Rewards.

Rewards to Officers for detaining Smugglers.

LXXII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Customs, and they are hereby authorized, to order the following Reward to be paid to any Officer or Officers or Persons as aforesaid by whose Means any pecuniary Penalty or Composition is recovered; (that is to say,) One Third Part of the Penalty or Sum recovered, except in Seizures of Silk Goods, in which Case the Officers or other Persons may receive One Half the Penalty or Sum recovered.

Rewards to Officers where pecuniary Penalties are recovered.

(1) See § 77., by which the Commissioners of Customs have the Power to deprive Officers of their Share of Seizures in case of Collusion. See also the Power given to the Attorney General and Lord Advocate by § 127.

Rewards.

Rewards to
Officers making
Seizures.

LXXIII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Customs, and they are hereby authorized, to order to be paid in respect of any Seizure made under this or any Act relating to the Customs or to Trade and Navigation, to the Person or Persons making the same, the following Rewards; (that is to say,)

In the Case of Seizures of Spirits or Tobacco,--

If all the Parties concerned in the Act which occasions the Seizure, being above the Age of Sixteen Years, are detained and convicted, the whole Value thereof, such Value to be fixed and settled by the Lords of the Treasury, or by the Commissioners of Her Majesty's Customs, as herein-after directed:

If Two or more of such Parties, not being the whole, are so detained and convicted, Seven Eighths of such Value:

If One such Party, not being the whole of them, is so detained and convicted, Five Eighths of such Value:

If One such Party, not being the whole of them, is detained and convicted, and the Vessel or Means of Conveyance is or are seized and condemned, Three Fourths of such Value:

If the Vessel or Means of Conveyance is seized and condemned without any Person being detained, One Third of such Value:

If all the Goods are seized, and all the Parties concerned as aforesaid are subsequently convicted in consequence of such Seizure, and by the Exertion of the Seizors, One Half of such Value:

If the Goods only are seized, One Eighth or such other Part as the Commissioners of the Customs shall think proper, not exceeding One Fourth of such Value:

In the Case of Seizures of other Goods, not Silks:—

If the Vessel or other Means of Conveyance is or are seized and condemned, or if any Person is prosecuted to Conviction on account of the same, One Half of the Produce, exclusive of the Duties:

If the Goods only, One Fourth of such Produce:

In the Case of damaged Tobacco, Snuff, or other Goods destroyed, such Reward as the Lords of the Treasury or the Commissioners of Her Majesty's Customs may think proper to direct, not exceeding a

Moiety of the Duty payable on such Goods in case the same had been sold for Home Consumption :

Rewards.
—

In the Case of Seizures of Silk Goods, the whole Value of such Goods, exclusive of the Duty thereon :

In the Case of Seizures of Vessels and Boats :—

If sold, a Moiety of the Produce :

If taken into the Public Service or broken up, a Moiety of the Value :

In the Case of Seizures of Cattle and Carriages :—

In all Cases, Three Fourths of the Produce of the Sale.

LXXIV. Provided always, and be it enacted, That the Value of Spirits and Tobacco seized as aforesaid shall in all Cases be deemed and taken to be such as the Lords of the Treasury or the Commissioners of Her Majesty's Customs may think fit to fix the same at *per* Gallon or *per* Pound Weight, for the Purpose of rewarding the said Officer as aforesaid ; and that all the before-mentioned Rewards shall be paid subject to a Deduction of Ten Pounds *per Centum* on account of Law Charges and other Expences.

The Treasury or Commissioners of Customs to fix the Value of Spirits and Tobacco.

Rewards subject to Deduction.

LXXV. And be it enacted, That every such Reward, or Part or Share of any such Seizure, or of the Value thereof, as shall be payable to any Officer or Officers, Non-commissioned Officers, Petty Officers, Seamen, or Privates of Her Majesty's Army, Navy, or Marines, or acting under the Orders of the Lord High Admiral or Commissioners of the Admiralty, shall be divided and distributed in such Proportions, and according to such Rules, Regulations, and Orders, as Her Majesty shall, by Her Order or Orders in Council, or by Her Royal Proclamation in that Behalf, be pleased to direct and appoint.

All Rewards and Seizures payable to Officers of Army, Navy, or Marines to be regulated by Her Majesty's Orders in Council.

LXXVI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs or Excise respectively, and they are hereby authorized, in case of any Seizure of Vessels, Boats, or Goods, or of the Apprehension of any Parties under this or any other Act relating to the Customs, to direct the Distribution of the Seizor's Share of such Vessels, Boats, or Goods, or of any Penalties or Rewards that may be recovered on account of any Seizure, in such Manner as to enable any Officer

Commissioners may distribute Officers Shares of Seizure in certain Cases, so as to reward Persons not actually present.

Rewards.
—

or Officers or other Person or Persons through whose Information or Means such Seizure shall have been made, or Penalty recovered, or Party apprehended, and who may by them be deemed to be so entitled, to participate in such Proportions as the said Commissioners shall respectively deem expedient.

In case Officers act negligently or collusively, the Seizure to be applied to Her Majesty's Use.

LXXVII. And be it enacted, That upon Proof being made to the Satisfaction of the Commissioners of Her Majesty's Customs or Excise that any Officer or Officers or Person or Persons as aforesaid shall have acted collusively or negligently in the making of any Seizure, or in the Apprehension of any Party, it shall be lawful for the said Commissioners to direct that the whole or any Part of the Proportion of such Seizure be applied to the Use of Her Majesty.

No Subject of Her Majesty, except Officers, to take up Spirits in small Casks sunk or floating upon the Sea.

LXXVIII. And be it enacted, That no Person or Persons whatsoever being a Subject or Subjects of Her Majesty, other than an Officer or Officers of the Navy, Customs, or Excise, or some Person or Persons authorized in that Behalf, shall intermeddle with or take up any Spirits, being in Casks of less Content than Twenty Gallons, which may be found floating upon or sunk in the Sea within One hundred Leagues of the United Kingdom; and that if any Spirits shall be so intermeddled with or taken up, the same shall be forfeited, together with any Vessel or Boat in which they are found.

Rewards to Persons giving Information of Goods floating upon or sunk in the Sea.

LXXIX. Provided always, and be it enacted, That if any Person or Persons shall discover any Spirits, being in Casks of less Content than Twenty Gallons, which may be found floating upon or sunk in the Sea, and shall give Information to any Officer of the Customs, or other Person or Persons duly authorized to make Seizure of such Spirits, so that Seizure shall be made of the same, the Person or Persons giving such Information shall be entitled to and shall receive such Reward as the Commissioners of Her Majesty's Customs may deem it expedient to direct.

Allowance to poor Persons confined for Offences against Laws of Customs or Excise.

LXXX. And be it enacted, That for the necessary Subsistence of any poor Person confined in any Prison in the United Kingdom or in the *Isle of Man*, under or by virtue of any Exchequer or other Process for the Recovery

of any Duties or Penalties, either upon Bond or otherwise, under this or any other Act relating to the Customs or Excise, sued for under or by virtue of any Order of the Commissioners of Her Majesty's Customs or Excise, it shall and may be lawful to and for the said Commissioners respectively to cause an Allowance, not exceeding the Sum of Seven-pence Halfpenny and not less than Four-pence Halfpenny *per* Day, to be made to any such poor Person out of any Money in their Hands arising from the Duties of Customs or Excise, as the Case may require.

Rewards.
—

LXXXI. And be it enacted, That the actual Expences incurred by any County, City, Borough, Liberty, Division, Franchise, or Town Corporate, in consequence of the Commitment of any Person to hard Labour under this or any Act or Acts relating to the Customs, shall be repaid out of the Consolidated Customs by Warrant of the Commissioners of Her Majesty's Treasury, or any Two or more of them, in such Manner and to such Amount as they shall think fit to direct.

Actual Expences incurred by the Commitment of Smugglers to hard Labour to be paid out of Consolidated Customs.

LXXXII. And be it enacted, That all Penalties and Forfeitures incurred or imposed by this or any Act relating to the Customs, or to Trade or Navigation, shall and may be sued for, prosecuted, and recovered by Action of Debt, Bill, Complaint, or Information in any of Her Majesty's Courts of Record at *Westminster*, or at *Dublin*, or at *Edinburgh*, or in the Royal Courts of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, in the Name of Her Majesty's Attorney General or of the Lord Advocate of *Scotland*, or in the Name or Names of some Officer or Officers of Her Majesty's Customs, or by Information before any Two or more of Her Majesty's Justices of the Peace in the United Kingdom or the *Isle of Man*, or before any Governor, Deputy Governor, or Deemster in the *Isle of Man*.

Jurisdiction.
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Penalties and Forfeitures how to be sued for.

LXXXIII. And be it enacted, That upon the exhibiting any Information before any Justice of the Peace of any Offence against this or any Act relating to the Customs, or to Trade or Navigation, for which Offence the Party charged is not liable to be detained in manner herein-before mentioned (1), such Justice is hereby required

Justices may summon Offender, and the Summons may be left at his last Place of Residence, or on board any

(1) See §§ 50, 51, 52, 53.

Jurisdiction.

Ship to which
he belongs.

to issue a Summons for the Appearance of the Party against whom such Information is exhibited before Two Justices of the Peace; and such Summons, directed to such Party, being left either at his or her last known Place of Residence, or on board any Ship or Vessel to which such Party may belong or may have lately belonged, shall be deemed to have been sufficiently served.

Two Justices
may, upon the
Appearance or
Default of the
Party, proceed
to the Hearing
and Conviction.

LXXXIV. And be it enacted, That upon the Appearance of any Party so summoned, or in case of his or her Default, then upon Proof to the Satisfaction of the Justices that the Party was duly summoned in manner aforesaid, it shall be lawful for any Two Justices of the Peace to proceed to the Examination of the Matter contained in such Information, and upon due Proof thereof, either upon the Confession of the Party, or upon the Oath of One or more credible Witness or Witnesses, to convict such Party of the Offence charged in such Information; and in case of the Nonpayment of any Penalty or Penalties which such Party may have incurred for such Offence, such Justices, or One of them, or any other Justice or Justices of the Peace, are hereby authorized, by Warrant under Hand and Seal, to commit such Party to any of Her Majesty's Gaols within their or his Jurisdiction, there to remain until the Penalty or Penalties shall be paid; and such Justice or Justices are hereby also authorized and required, when such Party is convicted of any Offence for which the Punishment of hard Labour is inflicted, to commit such Party by such Warrant to the next House of Correction, there to be kept to hard Labour for such Time as he or they shall be authorized to do by this or any Act or Acts relating to the Customs.

Power to com-
mit.

Warrants.

LXXXV. And be it enacted, That such Warrants shall and may be executed in any Part of the United Kingdom.

Justices em-
powered to
mitigate Pe-
nalty in certain
Cases.

LXXXVI. And be it enacted, That where any Party shall or may be convicted before any Two or more of Her Majesty's Justices of the Peace as aforesaid in any Penalty or Penalties incurred as aforesaid, except as is herein-after provided, it shall and may be lawful for the said Justices, in Cases where, upon consideration of the Circumstances, they shall deem it expedient so to do, and for a first

Offence only, to mitigate (1) the Payment of the said Penalty or Penalties, so as the Sum to be paid by such Party be not less than One Fourth of the Amount of the Penalty in which such Party shall have been convicted.

Jurisdiction.

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LXXXVII. And be it enacted, That where any Person shall have been so committed by any Justices or Justice of the Peace to any Prison for Nonpayment of any Penalty less than One hundred Pounds, the Gaoler or Keeper of such Prison is hereby authorized and required to discharge such Person at the End of Six Calendar Months from the Commencement of such Imprisonment.

As to Persons committed for Penalties under 100*l*.

LXXXVIII. And be it enacted, That it shall and may be lawful for any Two or more Justices of the Peace before whom any Person liable to be detained, and who shall have been detained, for any Offence against this or any Act relating to the Customs, shall be brought, either on the Confession of such Person of such Offence, or on Proof thereof upon the Oath or Oaths of One or more credible Witness or Witnesses, to convict such Person of any such Offence; and every such Person so convicted as aforesaid shall immediately upon such Conviction pay into the Hands of such Justices, for the Use of Her Majesty, the Penalty of One hundred Pounds, without any Mitigation whatever for any such Offence of which he shall be so convicted as aforesaid, or in default thereof the said Justices shall and they are hereby respectively authorized, by Warrant under their Hands and Seals, to commit such Person so convicted as aforesaid, and making such Default as aforesaid, to any Gaol or Prison, there to remain until such Penalty shall be paid; and such Justices are hereby also authorized and required, when any such Person is convicted of any Offence for which the Punishment of hard Labour is inflicted, to commit such Person to the next House of Correction, there to be kept to hard Labour for such Time as they shall be authorized to do by this or any other Act or Acts relating to the Customs.

Persons detained for the Offences herein mentioned may be convicted by Justices, and committed for Nonpayment of Penalty, or to hard Labour.

LXXXIX. And be it enacted, That where any Person shall have been convicted before any Two Justices of the Peace of any Offence for which any Penalty shall have been inflicted by this or any other Act or Acts re-

Justices may order Imprisonment in default of Payment of Penalty.

(1) In what Cases the Penalty cannot be mitigated, see § 88.

Jurisdiction.
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 with hard
 Labour, if Party
 before con-
 victed.

lating to the Customs, it shall and may be lawful for the said Justices, if they shall think fit, to order and adjudge that such Person shall, in default of paying such Penalty, be imprisoned for the first of such Offences in any of Her Majesty's Gaols within their Jurisdiction for a Period of not less than Six nor more than Nine Calendar Months; and if such Party shall have been before convicted of any Offence (1) against this or any other Act or Acts relating to the Customs, it shall and may be lawful for the said Justices, if they shall think fit, to order and adjudge that such Person be imprisoned in any House of Correction and there kept to hard Labour for any Period not less than Six nor more than Twelve Calendar Months.

Justices of
 limited Juris-
 diction not
 having Houses
 of Correction
 to commit to
 the one nearest
 to them.

XC. And be it enacted, That when any Person shall have been duly convicted of any Offence against this or any Act or Acts relating to the Customs for which such Person is liable to be sentenced to hard Labour, and such Conviction shall take place before any Two Justices of the Peace within whose Jurisdiction there is no House of Correction, it shall and may be lawful for such Justices, and they are hereby authorized and required, by Warrant under their Hands and Seals, to commit such Offenders to any of Her Majesty's Gaols within their Jurisdiction wherein the Sentence of hard Labour is or can be executed, or to the House of Correction nearest to the Place where such Offender is convicted, for such Time as is herein set forth for a First, Second, and Third Offence respectively; and the Governor or Keeper of such Gaol or House of Correction is hereby required to receive such Offender, and to obey such Warrant in all respects as if such Gaol or House of Correction was within the Jurisdiction of such Justices.

Justices may
 commute the
 Sentence of
 hard Labour to
 Imprisonment
 only where the
 Offender is
 a Female, or
 is incapable of
 hard Labour
 from Age or
 Sickness.

XCI. And be it enacted, That where any Person shall have been convicted of any Offence against this or any Act or Acts relating to the Customs for which such Persons would be liable to be committed to hard Labour, it shall and may be lawful for the Justices before whom such Person is so convicted, provided such Person is a Female, or provided it appears to such Justices that such Person is from Age or Sickness incapable of hard Labour, to order and adjudge that such Person shall, in lieu of

(1) See a similar Power given to Judges of Courts of Record, § 105.

being committed to hard Labour, be imprisoned in any of Her Majesty's Gaols within their Jurisdiction for the Length of Time to which such Person would have been liable to be kept to hard Labour: Provided always, that in all such Cases the Cause of Mitigation shall be stated in the Warrant of Commitment.

Jurisdiction,
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XCII. And be it enacted, That when any Person shall have been convicted before any Two Justices of the Peace of any Offence against this or any Act relating to the Customs for which such Person is liable to be committed to hard Labour, and it shall at any Time during such Imprisonment be made appear to the said or any other Two Justices, in the Presence of such Person, that such Person had been before convicted of any such Offence, it shall be lawful for such Justices and they are hereby required to commit such Offender to some House of Correction, to be kept to hard Labour for any Period not less than Nine nor greater than Twelve Calendar Months in the whole from the Date of the first Commitment, and to amend the Warrant of Commitment accordingly: Provided always, that any Gaoler in whose Custody such Person shall be shall, upon a written Order signed by any Justice of the Peace, produce such Person before such last-mentioned Justices for the Purpose last aforesaid.

Period of Con-
finement may,
after Commit-
ment, be ex-
tended, with
hard Labour
in case of Dis-
covery of a
prior Convic-
tion for a
similar Offence.

XCIII. And be it enacted, That it shall not be necessary in such amended Warrant of Commitment to state or refer to the former Conviction.

Amended
Warrant.

XCIV. And be it enacted and declared, That where any Person being a married Woman shall be convicted before Two Justices of the Peace of any Offence against this or any other Act relating to the Customs, such Person shall, in default of paying any Penalty which she may have incurred, be liable to be committed to Prison.

Married
Women may
be committed
to Prison.

XCV. And be it enacted, That in case any Offence shall be committed upon the High Seas against this or any other Act relating to the Customs, or any Penalty or Forfeiture shall be incurred upon the High Seas for any Breach of such Act, such Offence shall, for the Purpose of Prosecution, be deemed and taken to have been com-

Offences on
the High Seas
deemed to have
been committed
at the Place
into which the
Offender is
brought, or in

Jurisdiction.

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which he is
found.

mitted, and such Penalties and Forfeitures to have been incurred, at the Place on Land in the United Kingdom or the *Isle of Man* into which the Person committing such Offence, or incurring such Penalty or Forfeiture, shall be taken, brought, or carried, or in which such Person shall be found, and in case such Place on Land is situated within any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well any Justice or Justices of the Peace for such City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justice of the Peace of the County within which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine all Cases of Offences against such Act so committed upon the High Seas, any Charter or Act of Parliament to the contrary notwithstanding: Provided always, that where any Offence shall be committed in any Place upon the Water not being within any County of the United Kingdom, or where any Doubt exists as to the same being within any County, such Offence shall, for the Purposes of this Act, be deemed and taken to be an Offence committed upon the High Seas.

As to Juris-
diction in
Boroughs, &c.

XCVI. And be it enacted, That where any Offence against this or any Act relating to the Customs shall be committed in any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well any Justice or Justices of the said City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justices of any County within which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine the same.

A Magistrate
of an adjoining
County, with
One of the
County where
Offence com-
mitted, may
hear Informa-
tions.

XCVII. And be it enacted, That when the Attendance of Two Magistrates having Jurisdiction in the County where the Offence is committed cannot be conveniently obtained, it shall be lawful for a Magistrate of any adjoining County, with One Magistrate of the County in which the Offence was committed or deemed to have been committed, to hear and determine any Information exhibited before them, and to have the same Powers and Authorities in all respects as to any Proceeding had under this or any other Act relating to the Customs as if they were both Magistrates for the County in which the Offence was committed.

XCVIII. And be it enacted, That when any Information shall have been exhibited before any Justice of the Peace for the Forfeiture of any Goods whatsoever seized under this or any Act relating to this Customs, it shall be lawful for the said Justice, and he is hereby authorized and required, to summon the Party to whom such Goods belonged, or from whom they were seized, to appear before any Two Justices of the Peace; and such Summons, directed to such Party, being left either at his or her last known Place of Residence, or on board any Ship to which such Party may belong, shall be deemed to have been sufficiently served; and upon his, her, or their Appearance or Default any Two Justices may proceed to the Examination of the Matter, and upon due Proof that the said Goods are liable to Forfeiture under this or any Act relating to the Customs may condemn the said Goods.

Jurisdiction.

Mode of proceeding before Justices for the Condemnation of seized Goods.

XCIX. And be it enacted, That all Vessels, Boats, and Goods which shall have been or shall be hereafter seized as forfeited under any Law relating to the Customs, and which shall have been or shall hereafter be ordered to be prosecuted by the Commissioners of Her Majesty's Customs, shall be deemed and taken to be condemned, and may be sold in the Manner directed by Law in respect to Vessels, Boats, and Goods seized and condemned for Breach of any Law relating to the Customs, unless the Person from whom such Vessels, Boats, and Goods shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Calendar Month from the Day of seizing the same, give Notice in Writing, if in *London*, to the Person seizing the same, or to the Secretary or Solicitor for the Customs, and if elsewhere to the Person seizing the same, or to the Collector and Comptroller or other Chief Officer of the Customs at the nearest Port, that he claims the Vessel, Boat, or Goods, or intends to claim them.

All Vessels, Boats, and Goods seized under any Laws of Customs, and ordered to be prosecuted, shall be deemed to be condemned, unless the Owner gives Notice that he intends to claim.

C. And be it enacted, That all the Powers vested in any Justices or Justice of the Peace by virtue of this Act shall be and the same are hereby vested in and may be exercised in the *Isle of Man* by any Governor, Deputy Governor, or Deemster of the said Island, or by any Two Justices of the Peace in and for the said Island, so far as regards Offences committed against or Penalties or For-

Powers of Justices to be exercised by Governor or Deemsters or Justices of the Isle of Man.

Jurisdiction.
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feitures incurred under this or any Act or Acts relating to the Customs.

Writs of Certiorari and Writs of Habeas corpus not to be issued except on an Affidavit ;

CI. And be it enacted, That no Writ of Certiorari shall issue to remove any Proceedings before any Justice or Justices of the Peace under this or any Act relating to the Customs, nor shall any Writ of Habeas corpus issue to bring up the Body of any Person who shall have been convicted before any Justice or Justices of the Peace under any such Act, unless the Party against whom such Proceeding shall have been directed, or who shall have been so convicted, or his Attorney or Agent, shall state in an Affidavit in Writing, to be duly sworn, the Grounds of Objection to such Proceedings or Conviction, and that upon the Return to such Writ of Certiorari or Habeas corpus no Objection shall be taken or considered other than such as shall have been stated in such Affidavit ; and that it shall be lawful for any Justice or Justices of the Peace, and they are hereby required, to amend any Information, Conviction, or Warrant of Commitment (1) for any Offence under any such Act, at any Time, whether before or after Conviction.

any Justice may amend Informations, Warrants of Commitment, and Convictions.

Writ of Habeas corpus not to issue without Notice to the Solicitor for the Customs.

CII. And be it enacted, That no such Writ shall issue without Notice in Writing of the issuing thereof to the Solicitor for the Customs, and that no Return to any such Writ shall be considered by any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, or by any of Her Majesty's Judges of any of the said Courts, unless there shall be produced to such Court or Judge an Affidavit in Writing, duly sworn, stating that Notice of the issuing of such Writ was given to the Solicitor for the Customs or left at his Office Four clear Days before the Return of such Writ, and that with respect to all such Writs there shall be an Interval of Four clear Days at least between the Day on which they issue and the Day on which they are returnable, and any such Writ issuing without such Notice, and not being in conformity to the Directions herein contained, shall be void to all Intents and Purposes whatsoever.

Informations to be in the Words of the Act.

CIII. And be it enacted, That every Information (2) preferred to enforce any Punishment, Penalty, or For-

(1) See § 103.

(2) As to amending Informations before Justices, see § 101.

feiture for any Offence committed against this or any Act or Acts relating to the Customs, and every Conviction or Warrant of Commitment for any such Offence, shall be deemed valid and sufficient, in which the Offence for which such Punishment or Penalty shall have been inflicted, or the Cause of such Forfeiture, is set forth in the Words of the Act or Acts by which such Punishment or Penalty has been inflicted, or under which such Forfeiture has been incurred; and that no Warrant of Commitment for any such Offence shall be held void by reason of any Defect in such Warrant, nor shall any Party be entitled to be discharged out of Custody on account of any such Defect, provided it be alleged in such Warrant that the said Party has been convicted of such an Offence, and provided it shall appear to the Court or Judge before whom such Warrant is returned that such Conviction proceeded upon good and valid Grounds.

Jurisdiction.
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Parties not to be discharged upon Defects in Warrants, provided Conviction took place upon good Grounds.

CIV. And be it enacted, That when by any Act relating to the Customs a Penalty is imposed upon every Person committing or concerned in the Act by which such Penalty is incurred, and such Offence shall have been committed by several Persons jointly, or several Persons shall have been concerned in the same, such several Persons shall jointly and severally incur every such Penalty; and it shall be lawful to proceed against such Persons to recover such Penalties jointly by one Information or severally by separate Informations, as the Attorney General or the Commissioners of Her Majesty's Customs respectively may deem expedient.

Several Persons concerned in the same Offence may be sued by One Information.

CV. And be it enacted, That when any Verdict shall pass against any Person in any of Her Majesty's Courts of Record for any Offence for which any pecuniary Penalty shall have been inflicted by this or any Act relating to the Customs, and such Person shall have before (1) been duly convicted, either by Verdict in any of Her Majesty's Courts of Record or otherwise, of any such Offence, it shall and may be lawful for the Judge or Judges of the said Court in which such Person shall be so convicted to order and adjudge that such Person shall, in lieu of any Penalty, be imprisoned in any House of Correction for any Period not less than Six nor more than

Persons having been before convicted of an Offence against the Customs may, upon a Verdict passing against them, be imprisoned in House of Correction.

(1) See § 89. as to a similar Power given to Justices of the Peace.

Jurisdiction.

Twelve Calendar Months ; and the Governor or Keeper of any House of Correction is hereby required to receive any Person committed under any such Order or Judgment.

Persons previously convicted may be held to Bail for full Amount of Penalty.

CVI. And be it enacted, That when any Writ of Capias shall hereafter issue (1) against any Person for any such Offence as is herein-before lastly mentioned, and such Person shall before have been convicted of any such Offence, such Writ shall issue and such Person shall be held to Bail for the full Amount of the Penalty sought to be recovered against him.

Informations, Convictions, &c. to be in the Form, &c. in Schedule.

CVII. And be it enacted, That all Informations exhibited before any Justice or Justices of the Peace for any Offence committed against this or any other Act relating to the Customs, and all Convictions for such Offences, and all Warrants of any Justice or Justices of the Peace founded upon such Convictions, shall be drawn respectively in the Form or to the Effect in the Schedule to this Act annexed.

Penalties and Forfeitures to be paid to Commissioners of Customs or Excise, and applied as the Law directs.

CVIII. And be it enacted, That all Penalties and Forfeitures which may be recovered before any Justice or Justices of the Peace under this or any other Act relating to the Customs or Excise, on any Prosecution by Order of the Commissioners of Customs, shall be paid to the Commissioners of Her Majesty's Customs, and on any Prosecution by Order of the Commissioners of Excise shall be paid to the Commissioners of Her Majesty's Excise, or to the Person appointed by them respectively to receive the same ; and such Penalties and Forfeitures shall be applied by the said Commissioners respectively in such Manner as the Law directs, any thing contained in any Act now in force or hereafter to be made to the contrary in anywise notwithstanding.

Capias may issue against Persons sued under this Act who are to give Bail.

CIX. And be it enacted, That whenever any Penalty shall be sued for as aforesaid by Information against any Person in any of Her Majesty's Courts of Record at *Westminster* or at *Dublin*, or at *Edinburgh*, a Capias may thereupon issue as the first Process, specifying the Amount of the Penalty sued for, and such Person against whom such Capias shall issue shall be obliged to give sufficient Bail or Security, by natural-born Subjects or Denizens, to

the Person or Persons to whom such Capias shall be directed, to appear in the Court out of which such Capias shall issue at the Day of the Return of such Writ, to answer such Suit and Prosecution, and shall likewise at the Time of such appearing give sufficient Bail or Security, by such Persons as aforesaid, in the said Court, to answer and pay all the Forfeitures and Penalties incurred for such Offence or Offences, in case he, she, or they shall be convicted thereof, or to yield his, her, or their Body or Bodies to Prison. (1)

Jurisdiction.
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CX. And be it enacted, That if any Person against whom a Capias shall issue out of any of Her Majesty's Courts of Record as aforesaid shall be arrested upon such Capias, and taken to Prison for Want of sufficient Bail, a Copy of the Information exhibited against such Person shall be served upon him or her in Gaol, or delivered to the Gaoler, Keeper, or Turnkey of the Prison in which such Person shall be confined, and if such Person shall neglect or refuse to appear or plead to the said Information for the Space of Twenty Days, Judgment shall be entered by Default; and in case Judgment shall be obtained against any such Person or Persons, by Default, Verdict, or otherwise, and such Persons or Person shall not pay the Sum recovered against him, her, or them for his, her, or their Offence, Execution shall be thereupon awarded and issued, not only against the Body or Bodies of the Person or Persons so in Prison as aforesaid, but against all the Real and Personal Estates of such Person or Persons, for such Sum or Sums of Money so as aforesaid recovered against him, her, or them.

Persons in Gaol not appearing or pleading to the Information, Judgment may be entered by default.

CXI. And be it enacted, That in case any Person arrested and imprisoned by virtue of any Writ of Capias as aforesaid shall make Affidavit before the Judge or Judges of the Court where the Information shall be brought, or before any other Person commissioned to take Affidavits in such Court, that he or she is not worth, over and above his or her Wearing Apparel, the Sum of Five Pounds (which said Affidavit the said Judge or Judges of such Court and such Person so commissioned is and are hereby authorized and required so to take), and such Person shall thereupon petition such Court to defend

Persons not worth 5*l.* may defend Suits in formâ pauperis.

(1) See § 106.

Jurisdiction.
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himself or herself against such Information *in formâ pauperis*, the Judge or Judges of such Court shall, according to their Discretion, admit such Person to defend himself or herself against such Information in the same Manner and with the same Privileges as the Judges of such Court are by Law directed and authorized to admit poor Subjects to commence Actions for the Recovery of their Rights; and for that End and Purpose it shall be lawful for any Judge or Judges of such Court to assign Counsel learned in the Law, and to appoint an Attorney and Clerk of such Court, to advise and carry on any legal Defence that such Person can make against such Action or Information, and which said Counsel, Attorney, and Clerk so assigned and appointed is and are hereby required to give his and their Advice and Assistance to such Person, and to do their Duties, without Fee or Reward.

Sheriff to grant
special Warrant
on Writ of
Capias being
endorsed by
the Solicitor
for the Customs.

CXII. And be it enacted, That where any Writ of Capias or other Process shall issue out of any Court, directed to any Sheriff, Mayor, Bailiff, or other Person having the Execution of Process in any County, City, Borough, or Liberty, against any Person who shall be charged with any Offence against this or any Act relating to the Customs, every such Sheriff, Mayor, or Bailiff, and other Person having Execution of Process as aforesaid, and their and every of their Under Sheriffs, Deputies, and other Persons acting for them in the said Office and Offices respectively, shall and are hereby required and enjoined, upon the Request or Application of the Solicitor for the Customs, or any Person acting in his Behalf, (such Request to be in Writing, and endorsed upon the Back of the said Process, and signed by such Solicitor, with his Name and Addition of Solicitor for the Customs, or by such other Person, stating his Authority,) to grant a special Warrant or Warrants to such Person or Persons as shall be named to them by such Solicitor or other Person for the apprehending such Offender or Offenders, or in default thereof every such Sheriff, Mayor, Bailiff, Under Sheriff, and other Person acting in the said Office or Offices respectively shall be subject and liable to such Process of Contempt, Fines, Amerciaments, Penalties, and as they or any of them are now by any Law, Custom, or Usage liable to in case of refusing or neglecting to execute the like Process where the Defendant might have been

taken thereupon in the common and usual Method of Proceeding. *Jurisdiction.*

CXIII. And be it enacted, That all and every such Sheriff, Mayor, Bailiff, Under Sheriff, and other Persons so granting or making out such special Warrant as aforesaid shall be and they are hereby saved harmless and indemnified against Her Majesty, Her Heirs and Successors, and against all and every other Person or Persons whomsoever, of and from all Escapes of any Person or Persons who shall or may be taken by virtue of any such Warrant as aforesaid which shall or may happen from the Time of taking such Offender or Offenders till he, she, or they shall be committed to the proper Gaol or Prison, or be offered and tendered to the Gaol-keeper or other Person having charge of such Gaol or Prison (who is hereby enjoined and required to receive every such Person or Persons so apprehended as aforesaid, and give a Receipt for his, her, or their Body or Bodies), and of and from all Actions, Prosecutions, Process of Contempt, and other Proceedings for or by reason of such Escape, any Law, Custom, or Usage to the contrary notwithstanding.

Sheriff indemnified from Escapes in Cases where Warrants are granted at the Request of Solicitor for the Customs, or any Person acting in his Behalf, and Gaolers required to receive Offenders.

CXIV. And be it enacted, That no Claims shall be permitted to be entered to, and no Appearance shall be permitted to be entered to, any Information filed for the Forfeiture of any Vessel, Boat, or Goods seized for any Cause of Forfeiture, and returned into any of Her Majesty's Courts of Record in the United Kingdom or the *Isle of Man*, unless such Claim or Appearance is entered in the true and real Name or Names of the Owner or Owners, Proprietor or Proprietors of such Vessel, Boat, or Goods, describing the Place of Residence and the Business or Profession of such Person or Persons; and if such Person or Persons shall reside at *London*, *Edinburgh*, or *Dublin*, or within the Liberties thereof, Oath shall be made by him, her, or them before One of the Judges of the Court into which the said Vessel, Boat, or Goods are returned, or in which such Information is filed, that the said Vessel, Boat, or Goods was or were really and truly the Property of him, her, or them at the Time of such Seizure; but if such Person or Persons shall not be resident in *London*, *Edinburgh*, or *Dublin*, or the Liberties thereof, then and in such Case Oath shall be made in like Manner by the Agent, Attorney, or Solicitor by whom such Claim or Appearance shall be entered that he has

No Claim or Appearance to be entered to any Information for the Forfeiture of seized Goods, unless in the Name of the Owners, and Oath made to the Property.

Jurisdiction.
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full Power and legal Authority and Directions from such Owners or Proprietors to enter such Claim or Appearance, and that to the best of his Knowledge and Belief such Vessel, Boat, or Goods were at the Time of the Seizure thereof *bonâ fide* and truly the real Property of the Person or Persons in whose Name or Names such Claim or Appearance is entered; and on failure thereof the Vessel, Boat, or Goods shall be absolutely condemned, and Judgment shall be entered thereon by Default, according to the usual Method of Proceedings of the Court, in the same Manner as if no Claim or Appearance had been entered into; and every Person who shall be convicted of making or taking a false Oath to any of the Facts herein-before directed or required to be sworn shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

Owners to give
Security for
Costs occasioned
by the Claim
or Appearance.

CXV. And be it enacted, That upon the Entry of any Claim to any Boat or Vessel or to any Goods seized for any Cause of Forfeiture, or of any Appearance to any Information filed for such Forfeiture, the Person or Persons who shall enter such Claim or Appearance as the Owner or Proprietor thereof (in case such Claimant shall reside in the United Kingdom) shall be bound, with Two other sufficient Sureties, in the Penalty of One hundred Pounds, to answer and pay the Costs occasioned by such Claim or Appearance; and if such Owner or Proprietor shall not reside in the United Kingdom, then and in such Case the Attorney or Solicitor by whose Direction such Claim or Appearance shall be entered shall in like Manner be bound, with Two other sufficient Sureties, in the like Penalty, to answer and pay the Costs occasioned by such Claim or Appearance.

If Suit brought
on account of
Seizure, and the
Judge shall
certify that
there was prob-
able Cause,
Plaintiff to have
2*l.* Damages,
and Defendant
fined not more
than 1*s.*

CXVI. And be it enacted, That in case any Information or Suit shall be commenced or brought to Trial on account of the Seizure of any Vessel, Boat, or Goods, Merchandizes or Commodities whatsoever, or any Horses or other Animals, or any Carriage seized as forfeited by this or any Act relating to the Customs, wherein a Verdict shall be found for the Claimant thereof, and it shall appear to the Judge or Court before whom the same shall have been tried that there was a probable Cause of Seizure, such Judge or Court shall certify on the Record that there was such probable Cause, and in such Case the

Person or Persons who made such Seizure shall not be liable to any Action, Indictment, or other Suit or Prosecution on account of such Seizure; and in case any Action, Indictment, or other Suit or Prosecution shall be commenced and brought to Trial against any Person or Persons whomsoever on account of any such Seizure as aforesaid, wherein a Verdict shall be given against the Defendants or Defendant, if the Court or Judge before whom such Information or Suit shall have been tried shall have certified on the said Record that there was a probable Cause for such Seizure, then the Plaintiff, besides the Things seized or the Value thereof, shall not be entitled to above Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant or Defendants in such Prosecution be fined above One Shilling.

Jurisdiction.
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CXVII. And be it enacted, That no Writ shall be sued out against, nor a Copy of any Process served upon, any Officer of the Army, Navy, Marines, Customs, or Excise, or against any Person acting under the Direction of the Commissioners of Her Majesty's Customs, for any thing done in the Execution of or by reason of his Office, until One Calendar Month next after Notice in Writing shall have been delivered to him, or left at his usual Place of Abode, by the Attorney or Agent for the Party who intends to sue out such Writ or Process as aforesaid, in which Notice shall be clearly and explicitly contained the Cause of Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and that a Fee of Twenty Shillings shall be paid for the preparing and serving of every such Notice, and no more.

No Process to be sued out against any Officer making Seizure until One Calendar Month next after Notice given.

CXVIII. Provided always, and be it enacted, That no Plaintiff in any Case when an Action shall be grounded on any such Act done by the Defendant shall be permitted to produce any Evidence of the Cause of such Action, except such as shall be contained in the Notice to be given as aforesaid, or shall receive any Verdict against such Officer or Person, unless he shall prove on the Trial of such Action that such Notice was given; and in default of such Proof the Defendant in such Action shall receive a Verdict, with Costs, as herein-after mentioned.

No Evidence to be adduced but what is contained in the Notice.

CXIX. And be it enacted, That it shall and may be lawful to and for any such Officer or other Person to

Officer may tender Amends.

Jurisdiction.
—

whom such Notice shall have been given as aforesaid, at any Time within One Calendar Month after such Notice shall have been given, to tender Amends to the Party complaining, or his, her, or their Agent or Attorney, and in case the same is not accepted to plead such Tender in bar to any Action to be brought against him grounded on such Writ or Process, together with the Plea of Not Guilty, and other Pleas, with Leave of the Court; and if, upon Issue joined thereon, the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuited, or discontinue his, her, or their Action, or in case Judgment shall be given for such Defendant upon Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only; but if upon Issue joined the Jury shall find that no Amends were tendered, or that the same were not sufficient, or shall find against the Defendant in such other Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, together with his, her, or their Costs of Suit.

Officer neglecting to tender Amends may pay Money into Court.

CXX. And be it enacted, That in case such Officer or other Person as aforesaid shall neglect to tender any Amends, or shall have tendered insufficient Amends, before the Action brought, it shall and may be lawful for him, by Leave of the Court in which such Action shall be brought, at any Time before the Trial of the said Action, to pay into Court such Sums of Money as he shall see fit, whereupon such Proceedings, Orders, and Payments shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Action to be commenced within Six Months next after Cause of Action has arisen.

CXXI. And be it enacted, That if any Action or Suit shall be brought or commenced as aforesaid such Action or Suit shall be brought or commenced within Six Months next after the Cause of Action shall have arisen, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action is alleged to have occurred, and not in any other County or Place; and the Defendant or Defendants shall and may plead the General Issue, and give the special Matter in Evidence, at any Trial had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action

or Suit, or if upon a Verdict or Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall be entitled to Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants can or may have in other Cases where Costs are given by Law.

Jurisdiction.
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CXXII. And be it enacted, That whenever any Person shall be charged with any Offence against this or any Act relating to the Customs for which he or she may be prosecuted by Indictment or Information in Her Majesty's Court of Queen's Bench, and the same shall be made appear to any Judge of the same Court, by Affidavit or by Certificate of an Information or Indictment being filed against such Person in the said Court for such Offence, it shall and may be lawful for such Judge to issue his Warrant under his Hand and Seal, and thereby to cause such Person to be apprehended and brought before him or some other Judge of the same Court, or before some One of Her Majesty's Justices of the Peace, in order to his or her being bound to the Queen's Majesty, with Two sufficient Sureties, in such Sum as in the said Warrant shall be expressed, with Condition to appear in the said Court at the Time mentioned in such Warrant, and to answer all and singular Indictments or Informations for any such Offence; and in case any such Person shall neglect or refuse to become bound as aforesaid it shall be lawful for such Judge or Justice respectively to commit such Person to the Common Gaol of the County, City, or Place where the Offence shall have been committed, or where he or she shall have been apprehended, there to remain until he or she shall become bound as aforesaid, or shall be discharged by Order of the Court in Term Time, or of One of the Judges of the said Court in Vacation; and the Recognizance to be thereupon taken shall be returned and filed in the said Court, and shall continue in force until such Person shall have been acquitted of such Offence, or in case of Conviction shall have received Judgment for the same, unless sooner ordered by the Court to be discharged; and that where any Person, either by virtue of such Warrant of Commitment aforesaid, or by virtue of any Writ of Capias ad respondendum issued out of the said Court, is now detained or shall hereafter be committed to and detained in any Gaol for Want of Bail, it shall be lawful for the Prosecutor of any such Indictment or Information

Judges of the Queen's Bench may issue Warrants for apprehending Offenders prosecuted by Indictment or Information.

Persons neglecting to give Bail may be committed to Gaol.

Indictments or Informations may be served on the Gaoler, and if Offender neglect to appear, &c. the Prosecutor may

Jurisdiction.

enter Plea of
Not Guilty.

to cause a Copy thereof to be delivered to such Person, or to the Gaoler or Keeper or Turnkey of the Gaol wherein such Person is or shall be so detained, with a Notice thereon endorsed, that unless such Person shall, within Eight Days from the Time of such Delivery of a Copy of the Indictment or Information as aforesaid, cause an Appearance and also a Plea or Demurrer to be entered in the said Court to such Indictment or Information, an Appearance and the Plea of Not Guilty will be entered thereto in the Name of such Person; and in case he or she shall thereupon, for the Space of Eight Days after the Delivery of a Copy of such Indictment or Information as aforesaid, neglect to cause an Appearance and also a Plea or Demurrer to be entered in the said Court to such Indictment or Information, it shall be lawful for the Prosecutor of such Indictment or Information, upon Affidavit being made and filed in the Court of the Delivery of a Copy of such Indictment or Information, with such Notice endorsed thereon as aforesaid, to such Person, or to such Gaoler, Keeper, or Turnkey, as the Case may be, which Affidavit may be made before any Judge or Commissioner of the said Court authorized to take Affidavits in the said Court, to cause an Appearance and the Plea of Not Guilty to be entered in the said Court to such Indictment or Information for such Person, and such Proceedings shall be had thereupon as if the Defendant in such Indictment or Information appeared and pleaded Not Guilty, according to the usual Course of the said Court; and that if upon Trial of such Indictment or Information any Defendant so committed and detained as aforesaid shall be acquitted of all the Offences therein charged upon him or her, it shall be lawful for the Judge before whom such Trial shall be had, although he may not be One of the Judges of the said Court of Queen's Bench, to order that such Defendant shall be forthwith discharged out of Custody as to his or her Commitment as aforesaid, and such Defendant shall be thereupon discharged accordingly.

If upon Trial the Party is acquitted, the Judge may discharge him out of Custody.

When Recognizance is given, and the Party shall not plead, a Copy of the Information or Indictment may be delivered to his Attorney.

CXXIII. And be it enacted, That where any Person shall be arrested by virtue of a Warrant issued as aforesaid, and shall enter into a Recognizance, and appear in the said Court at the Return of the said Recognizance, but shall not afterwards plead to the Information or Indictment, it shall and may be lawful for the Prosecutor

of such Information or Indictment to cause a Copy thereof to be delivered to such Person, or his or her Attorney or Agent, or to be left at his or her last Place of Abode, with a Notice thereon endorsed, that unless such Person shall, within Eight Days from the Time of such Delivery of a Copy of the Information or Indictment as aforesaid, cause a Plea to be entered in the said Court to such Information or Indictment, that the Prosecutor of such Information or Indictment will enter a Plea of Not Guilty on his or her Behalf; and that upon Affidavit being made and filed in the said Court of the Delivery of a Copy of such Information or Indictment, with such Notice endorsed thereon as aforesaid, to such Person, or to his or her Attorney or Agent, or at his or her last Place of Abode, as the Case may be, it shall be lawful for the Prosecutor of such Information or Indictment to cause the Plea of Not Guilty to be entered in the said Court to such Information or Indictment for such Person, and such Proceedings shall be had thereupon as if the Defendant in such Information or Indictment had pleaded according to the usual Course of the said Court.

Jurisdiction.

If the Party does not appear, a Plea of Not Guilty may be entered.

CXXIV. And for the Purpose of enabling the Mayor, Commonalty, and Citizens of the City of *London*, and their Successors, to ascertain and collect the Amount of the Dues payable to them upon the several Articles hereinafter mentioned, brought Coastwise into the Port of *London*, be it enacted, That if all or any of the Goods of the Description herein-after mentioned, (that is to say,) Firkins of Butter, Tons of Cheese, Fish, Eggs, Salt, Fruit, Roots (eatable), and Onions, brought Coastwise into the Port of the said City, and which are liable to the said Dues, shall be landed or unshipped at or in the said Port before a proper Certificate of the Payment of the said Duties shall have been obtained, such Goods respectively shall be forfeited, and may be seized by any Officer of Her Majesty's Customs empowered to seize any Goods landed without due Entry thereof; and such Forfeiture may be sued for, prosecuted, and recovered by Action of Debt, Bill, Complaint, or Information in any of Her Majesty's Courts of Record at *Westminster*, in the Name of the Chamberlain of the said City on behalf of the said Mayor, Commonalty, and Citizens.

Certain Articles herein mentioned not to be landed Coastwise until the Dues of the City of London are paid.

CXXV. And be it enacted, That if any Person shall be arrested under or by virtue of a Writ of *Capias* ad

When Offenders are arrested, and

Jurisdiction.

—
give Bail to the
Sheriff, the Bail
Bond to be as-
signed to Her
Majesty.

respondendum issuing out of any of Her Majesty's Courts of Record, or out of any of the Superior Courts of Record of either of the Counties Palatine, at the Suit of the Queen's Majesty, Her Heirs and Successors, and the Sheriff or other Officer shall take Bail from such Person, such Sheriff or other Officer, at the Request and Costs of the Prosecutor, shall assign to the Queen's Majesty, Her Heirs and Successors, the Bail Bond taken from such Person, by endorsing the same, and attesting the same under his Hand and Seal in the Presence of Two or more credible Witnesses, which may be done without any Stamp, provided the Assignment so endorsed be duly stamped before any Suit be commenced thereupon; and if such Bail Bond be forfeited such Process shall thereupon issue as on Bonds originally made to the Queen's Majesty, Her Heirs and Successors, and the Court in which such Bail Bond is put in Suit may, by Rule or Rules of the same Court, give such Relief to the Defendant or Defendants as is agreeable to Justice and Reason.

Indictments to
be preferred by
Order of the
Commissioners,
and Suits to be
in the Name of
the Attorney
General or Lord
Advocate, or of
some Officer.

CXXVI. And be it enacted, That no Indictment shall be preferred for any Offence against this or any other Act or Acts relating to the Customs or Excise, nor shall any Suit be commenced for the Recovery of any Penalty or Forfeiture for any such Offence, (except in the Cases of Persons detained and carried before One or more Justices in pursuance of this Act,) unless such Indictment shall be preferred under the Direction of the Commissioners of Her Majesty's Customs or Excise, or unless such Suit shall be commenced in the Name of Her Majesty's Attorney General for *England* or *Ireland*, or in the Name of the Lord Advocate of *Scotland*, or in the Name of some Officer of Customs or Excise, under the Direction of the said Commissioners respectively.

The Attorney
General or Lord
Advocate may
sign a Nolle
prosequi.

CXXVII. And be it enacted, That if any Prosecution whatever shall be commenced for the Recovery of any Fine, Penalty, or Forfeiture incurred under this or any other Act relating to the Customs or Excise, it shall be lawful for Her Majesty's Attorney General, or for the Lord Advocate of *Scotland*, if he is satisfied that such Fine, Penalty, or Forfeiture was incurred without any Intention of Fraud, or that it is inexpedient to proceed in the said Prosecution, to stop all further Proceedings by entering a Nolle prosequi, or otherwise, on such Informa-

tion, as well with respect to the Share of such Fine, Penalty, or Forfeiture to which any Officer or Officers may be entitled (1) as to the Queen's Share thereof.

Jurisdiction.
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CXXVIII. And be it enacted, That if any Goods shall be seized for Nonpayment of Duties, or any other Cause of Forfeiture, and any Dispute shall arise whether the Customs, Excise, or Inland Duties have been paid for the same, or the same have been lawfully imported, or concerning the Place from whence such Goods were brought, then and in such Case the Proof thereof shall be on the Owner or Claimer of such Goods, and not on the Officer who shall seize the same.

Proof of Payments of Duties or of the lawful Importation of Goods to be on the Owner.

CXXIX. And be it enacted, That no Justice of the Peace who is a Collector or Comptroller, or otherwise connected with the Collection of the Customs or Excise, shall take cognizance of any Matter relating to the summary Conviction of Persons offending against this or any other Act relating to the Customs.

No Justice connected with the Collection of the Revenue to interfere.

CXXX. And be it enacted, That in case of any Information or Proceedings had under this or any Act relating to the Customs, the Averment that the Commissioners of Her Majesty's Customs or Excise have directed or elected such Information or Proceedings to be instituted, or that any Vessel is Foreign, or belonging wholly or in part to Her Majesty's Subjects, or that any Person detained or found on board any Vessel or Boat liable to Seizure is or is not a Subject of Her Majesty, or that any Person is an Officer of the Customs, and where the Offence is committed in any Port in the United Kingdom the naming such Port in any Information or Proceedings, shall be sufficient, without Proof as to such Fact or Facts, unless the Defendant in such Case shall prove to the contrary.

Averment of certain Matters to be sufficient unless the contrary is proved.

CXXXI. And be it enacted, That all Persons employed for the Prevention of Smuggling, under the Direction of the Commissioners of Her Majesty's Customs, or of any Officer or Officers in the Service of the Customs, shall be deemed and taken to be duly employed for the Prevention of Smuggling, and the Averment in any Information or Suit that such Party was so duly employed shall be suffi-

Persons employed for Prevention of Smuggling to be deemed duly employed.

(1) See §§ 71, 72, 73, and 76. as to Officers Rewards.

Jurisdiction.
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cient Proof thereof, unless the Defendant in such Information or Suit shall prove to the contrary.

Vivâ voce Evidence may be given that a Party is an Officer.

Witness competent, although entitled to Part of Seizure or to Reward.

CXXXII. And be it enacted, That if upon any Trial a Question shall arise whether any Person is an Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or an Officer of Customs or Excise, Evidence of his having acted as such shall be deemed sufficient, and such Person shall not be required to produce his Commission or Deputation, unless sufficient Proof shall be given to the contrary; and every such Officer, and any Person acting in his Aid or Assistance, shall be deemed a competent Witness upon the Trial of any Suit or Information on account of any Seizure or Penalty as aforesaid, notwithstanding such Officer or other Person may be entitled to the whole or any Part of such Seizure or Penalty, or to any Reward upon the Conviction of the Party charged in such Suit or Information.

What shall be deemed sufficient Evidence of an Order of the Treasury or of the Commissioners of Customs or Excise.

CXXXIII. And be it enacted, That upon the Trial of any Issue, or upon any judicial Hearing or Investigation, touching any Penalty or Forfeiture under any Law or Laws relating to the Customs or Excise, or to the Law of Navigation, where it may be necessary to give Proof of any Order issued by the Commissioners of Her Majesty's Treasury, or by the Commissioners of Her Majesty's Customs or Excise respectively, the Order, or any Letter or Instructions referring thereto, which shall have been officially received by any Officer of Customs or Exercise for his Government, and under which he shall have acted as such Officer, shall be admitted and taken as sufficient Evidence and Proof of such Order to all Intents and Purposes whatsoever.

Within what Time Suits, Indictments, or Informations are to be exhibited.

CXXXIV. And be it enacted, That all Suits, Indictments, or Informations exhibited for any Offence against this or any other Act relating to the Customs in any of Her Majesty's Courts of Record at *Westminster* or in *Dublin*, or in *Edinburgh*, or in the Royal Courts of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, shall and may be had, brought, sued, or exhibited within Three Years next after the Date of the Offence committed, and shall and may be exhibited before any One or more Justices of

the Peace within Six Months next after the Date of the Offence committed.

Jurisdiction.

CXXXV. Provided always, and be it enacted, That where any Person shall have been detained for any Offence against this or any Act relating to the Customs, and shall have made his Escape from Custody, an Information may be exhibited before One or more Justices of the Peace against such Person for such Offence at any Time afterwards, although more than Six Months shall have expired.

Information in certain Cases may be exhibited any Time after Six Months.

CXXXVI. And be it enacted, That any Indictment or Information for any Offence against this or any other Act relating to the Customs shall and may be inquired of, examined, tried, and determined in any County of *England* where the Offence is committed in *England*, and in any County in *Scotland* where the Offence is committed in *Scotland*, and in any County in *Ireland* where the Offence is committed in *Ireland*, in such Manner and Form as if the Offence had been committed in the said County where the said Indictment or Information shall be tried.

Indictments or Informations may be tried in any County in *England*, *Scotland*, or *Ireland* respectively.

CXXXVII. And whereas by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for further improving the Police in and near the Metropolis*, it is enacted, that after the passing of that Act all Summonses and Warrants to be issued in any Criminal Proceeding within the Metropolitan Police District, or by any Magistrate within the said District, shall be served and executed by a Constable of the Metropolitan Police Force, and by none other: And whereas it is expedient, in Cases of Proceedings instituted by Direction of the Commissioners of Her Majesty's Customs or Excise, that such Summonses or Warrants should be executed by their respective Officers; be it therefore enacted, That from and after the passing of this Act all such Summonses and Warrants shall and may be served and executed by any Officer of the Customs or Excise, any Act now in force or hereafter to be made to the contrary in anywise notwithstanding.

Summonses, &c. in Customs or Excise Proceedings may be served within the Police District by the Officers of Customs or Excise.

CXXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Alteration of Act.

SCHEDULE to which the foregoing Act
refers. (1)

No. 1.

*Form of Information before Justices of the Peace where a
pecuniary Penalty is inflicted.*

County of } BE it remembered, That on the
to wit. } Day of in the Year of our
Lord at A.B., an Officer of
Customs, who is directed by the Commissioners of Her
Majesty's Customs to prefer this Information, gives us,
Two of Her Majesty's Justices of the Peace
in and for to understand and be informed that
C.D., within Six Months now last past, that is to say, on
the Day of in the Year of our Lord
[here state the Offence], contrary to the Form
of the Statute in that Case made and provided, whereby
the said C.D. hath forfeited for his said Offence the Sum
of Pounds.

No. 1.

*Form of Warrant of Commitment to Gaol for a pecuniary
Penalty.*

County of } To A.B., Officer of Customs, and to the
to wit. } Gaoler or Keeper of the
 at in the .

WHEREAS C.D. has this Day been duly convicted be-
fore us Two of Her Majesty's Justices of the
Peace in and for upon the Information of
A.B., an Officer of Customs, who was directed by the
Commissioners of Her Majesty's Customs to prefer the
same, for that, within Six Months now last past, to wit,
on the Day of in the Year of our
Lord [here state the Offence as in the Infor-
mation]: And whereas we the said Justices did adjudge

that the said *C.D.* had forfeited for his said Offence the Sum of Pounds, which said Sum of Pounds has not been paid: These are therefore to require you the said *A.B.* forthwith to take, carry, and convey the said *C.D.* to the at in the and to deliver him into the Custody of the Gaoler or Keeper of the said ; and we the said Justices do hereby authorize and require you the said Gaoler or Keeper of the said Gaol to receive and take the said *C.D.* into your Custody, and him safely to keep until he shall duly pay the said Sum of Pounds. Given under our Hands and Seals at this Day of in the Year of our Lord .

No. 1.

Form of Conviction for a pecuniary Penalty.

County of } BE it remembered, That on the
to wit. } Day of in the Year of our Lord at an Information was exhibited by *A.B.*, an Officer of Customs, who was directed by the Commissioners of Her Majesty's Customs to prefer the same before us Two of Her Majesty's Justices of the Peace in and for against *C.D.*, which said Information charged that the said *C.D.*, within Six Months then last past, that is to say, on the Day of in the Year of our Lord [*here state the Offence as in the Information*], contrary to the Form of the Statute in that Case made and provided, whereby the said *C.D.* had forfeited for his said Offence the Sum of Pounds, which Offence ["has been duly proved before us the said Justices," or "the Party has confessed himself to be guilty of," *as the Case may be*]: We the said Justices do therefore convict the said *C.D.* of the said Offence, and do adjudge that the said *C.D.* hath forfeited for his said Offence the Sum of Pounds. Given under our Hands and Seals at the Day of in the Year of our Lord .

No. 2.

Form of Information before Justices of the Peace where the Penalty of hard Labour is inflicted.

County of } BE it remembered, That on the
to wit. } Day of in the Year of our
Lord at A. B., an Officer of Customs,
who is directed by the Commissioners of Her Majesty's
Customs to prefer this Information, gives us
Two of Her Majesty's Justices of the Peace in and
for to understand and be informed that
C. D., within Six Months now last past, (that is to say,)
on the Day of in the Year of our
Lord One thousand eight hundred and [*here*
state the Offence], contrary to the Form of the Statute in
that Case made and provided, whereby the said C. D. hath
for his said Offence become liable to be imprisoned in a
House of Correction, and there kept to hard Labour for
any Term not less than Six nor greater than Nine
Calendar Months.

No. 2.

Form of Conviction for the Penalty of hard Labour.

County of } BE it remembered, That on the
to wit. } Day of in the Year of our
Lord at an Information was exhib-
ited by A. B., an Officer of Customs, who was directed
by the Commissioners of Her Majesty's Customs to prefer
the same before us, Two of Her Majesty's
Justices of the Peace in and for against
C. D., which said Information charged that the said C. D.,
within Six Months then last past, (that is to say,) on
the Day of in the Year of our
Lord [*here state the Offence as in the Infor-*
mation], contrary to the Form of the Statute in that Case
made and provided, whereby the said C. D. had for his
said Offence become liable to be imprisoned in a House of
Correction, and there kept to hard Labour for any Term
not less than Six nor greater than Nine Calendar Months,
which Offence [*"has been duly proved before us the said*
Justices," or "the Party has confessed himself to be guilty
of," as the Case may be]: We the said Justices do there-

fore convict the said *C. D.* of the said Offence, and do
 adjudge that the said *C. D.* shall for his said Offence be
 imprisoned in the House of Correction at
 in the County of _____ and be there kept to hard
 Labour for the Period of _____ Calendar Months.
 Given under our Hands and Seals at _____ this
 Day of _____ in the Year of our
 Lord _____ .

No. 2.

*Form of Warrant of Commitment for the Penalty of hard
 Labour.*

County of _____ } To *A. B.*, an Officer of Customs, and to
 to wit. } the Gaoler or Keeper of the House of
 Correction _____ in the County
 of _____ .

WHEREAS *C. D.* has been this Day duly convicted
 before us, _____ Two of Her Majesty's
 Justices of the Peace in and for _____ upon the
 Information of *A. B.*, an Officer of Customs who was
 directed by the Commissioners of Her Majesty's Customs
 to prefer the same, for that within Six Months now last
 past, to wit, on the _____ Day of _____ in the
 Year of our Lord _____ [*here state the Offence as in*
the Information]: And whereas we the said Justices did
 adjudge that the said *C. D.* should for his said Offence be
 imprisoned in the House of Correction at
 aforesaid, and be there kept to hard Labour for the
 Term of _____ Calendar Months: These are therefore
 to require you the said *A. B.* forthwith to take, carry, and
 convey the said *C. D.* to the House of Correction at
 _____ in the _____ and deliver him into
 the Custody of the Gaoler or Keeper of the said House of
 Correction; and we the said Justices do hereby authorize
 and require you the said Gaoler or Keeper of the said
 House of Correction to receive and take the said *C. D.* into
 your Custody, and to keep the said *C. D.* for the said
 Term of _____ Calendar Months to hard Labour.
 Given under our Hands and Seals at _____ this
 Day of _____ in the Year of our
 Lord _____ .

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXVIII.

An Act for the Encouragement of *British* Shipping
and Navigation. [4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for the Encouragement of British Shipping and Navigation*, whereby the Laws for the Encouragement of *British* Shipping and Navigation were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of Advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force for the Purposes therein mentioned, except where any other Commencement is herein particularly directed.

3 & 4 W. 4. c. 54.

Commencement
of Act.

II. And be it enacted, That the several Sorts of Goods herein-after enumerated, being the Produce of *Europe*, (that is to say,) Masts, Timber, Boards, Tar, Tallow, Hemp, Flax, Currants, Raisins, Figs, Prunes, Olive Oil, Corn or Grain, Wine, Brandy, Tobacco, Wool, Shumac, Madders, Madder Roots, Barilla, Brimstone, Bark of Oak,

Ships in which
only enumerated
Goods of Eu-
rope may be
imported.

Cork, Oranges, Lemons, Linseed, Rapeseed, and Cloverseed, shall not be imported into the United Kingdom to be used therein (1), except in *British Ships* (2), or in *Ships of the Country* (3) of which the Goods are the Produce (4), or in *Ships of the Country* from which the Goods are imported. (5)

Places from which only Goods of Asia, Africa, or America may be imported.

III. And be it enacted, That Goods the Produce of *Asia*, *Africa*, or *America* shall not be imported from *Europe* (6) into the United Kingdom to be used therein, except the Goods herein-after mentioned; (that is to say,)

Goods the Produce of the Dominions of the Emperor of *Morocco*, which may be imported from Places in *Europe* within the *Straits of Gibraltar*:

Goods the Produce of *Asia* or *Africa* which (having been brought into Places in *Europe* within the *Straits of Gibraltar* from or through Places in *Asia* or *Africa* within those Straits, and not by way of the *Atlantic Ocean*,) may be imported from Places in *Europe* within the *Straits of Gibraltar*:

Goods the Produce of Places within the Limits of the *East India Company's Charter*, which (having been imported from those Places into *Gibraltar* or *Malta* in *British Ships*) may be imported from *Gibraltar* or *Malta*: (7)

Goods taken by way of Reprisal by *British Ships*:

Bullion, Diamonds (8), Pearls, Rubies, Emeralds, and other Jewels or precious Stones.

Ships in which only Goods of Asia, Africa, or America may be imported.

IV. And be it enacted, That Goods the Produce of *Asia*, *Africa*, or *America* shall not be imported into the United Kingdom to be used therein (9), in Foreign Ships, unless they be the Ships of the Country in *Asia*, *Africa*, or *America* of which the Goods are the Produce, and from

(1) See Liberty to import for Exportation, § 22.

(2) See § 13. as to what are British Ships.

(3) See § 16. as to what constitutes a Ship of any Country.

(4) See § 5. that Manufacture constitutes Produce.

(5) See Cap. 86. § 49. as to what constitutes an Importation from any Place.

(6) As to Produce of Colonial Fisheries from Guernsey, see Cap. 86. § 44.

(7) Malta deemed to be in Europe. See Cap. 86. § 128.

(8) Bullion and Diamonds do not require Entry, Cap. 86. § 2.

(9) See Liberty to import for Exportation, § 22.

which they are imported, except the Goods herein-after mentioned; (that is to say,)

Goods the Produce of the Dominions of the Grand Seigneur in *Asia* or *Africa*, which may be imported from his Dominions in *Europe* in Ships of his Dominions:

Raw Silk and Mohair Yarn, the Produce of *Asia*, which may be imported from the Dominions of the Grand Seigneur in the *Levant* Seas, in Ships of his Dominions:

Bullion:

Provided always, that in case any Treaty shall be made with any Country having a Port or Ports within the *Straits of Gibraltar*, stipulating that such Productions of *Asia* or *Africa* as may by Law be imported into the United Kingdom from Places in *Europe* within the *Straits of Gibraltar* in *British* Ships shall also be imported from the Ports of such Country in the Ships of such Country, then and in every such Case it shall be lawful to import such Goods from the Ports of such Country in the Ships of such Country. Proviso.

V. Provided always, and be it enacted, That all manufactured Goods shall be deemed to be the Produce of the Country of which they are the Manufacture. Manufacture deemed Produce.

VI. And be it enacted, That no Goods shall be imported into the United Kingdom from the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, except in *British* Ships. From Guernsey, &c.

VII. And be it enacted, That no Goods shall be exported from the United Kingdom to any *British* Possession in *Asia*, *Africa*, or *America*, nor to the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, except in *British* Ships. Exports to Asia, &c., and to Guernsey, &c.

VIII. And be it enacted, That no Goods or Passengers shall be carried Coastwise from one Part of the United Kingdom to another, or from the United Kingdom to the *Isle of Man*, or from the *Isle of Man* to the United Kingdom, except in *British* Ships. (1) Coastwise.

(1) See Definition of Coasting Trade, Cap. 86. § 115.

Between Guernsey, Jersey, &c.

IX. And be it enacted, That no Goods shall be carried from any of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* to any other of such Islands, nor from one Part of any of such Islands to another Part of the same Island, except in *British Ships*.

Between British Possessions in Asia, &c.

X. And be it enacted, That no Goods shall be carried from any *British Possession* in *Asia*, *Africa*, or *America* to any other of such Possessions, nor from one Part of any of such Possessions to another Part of the same, except in *British Ships*. (1)

Imports into British Possessions in Asia, &c.

XI. And be it enacted, That no Goods shall be imported into any *British Possession* in *Asia*, *Africa*, or *America* in any Foreign Ships, unless they be Ships of the Country of which the Goods are the Produce, and from which the Goods are imported. (2)

Her Majesty may, by Order in Council, declare that Foreign Goods may be imported into Hong Kong in any Vessels.

XII. And be it enacted, That it shall be lawful for Her Majesty from Time to Time, by any Order in Council, to declare that Goods the Growth, Produce, or Manufacture of any Foreign Country may be imported into the Island of *Hong Kong* from the same or any other Foreign Country, in Vessels belonging to the same or any other Foreign Country, and however navigated, subject nevertheless to such Limitations and Restrictions as shall be contained in any such Order in Council; and from and after the Publication of any such Order in Council such Goods may lawfully be so imported into the said Island of *Hong Kong* according to the Provisions of such Order, and until the Revocation thereof; and any such Order in Council may from Time to Time be altered or revoked by Her Majesty by any subsequent Order in Council.

No Ship British unless registered and navigated as such.

XIII. And be it enacted, That no Ship shall be admitted to be a *British Ship* unless duly registered (3) and navigated as such, and that every *British* registered Ship (so long as the Registry of such Ship shall be in force, or the Certificate of such Registry retained for the Use of such Ship,) shall be navigated during the whole of

(1) See Privilege of Ships built in India prior to 1816, Cap. 93. § 92.

(2) See Limitation of this Privilege, Cap. 93. § 4.

(3) See Registry Act, Cap. 89.

every Voyage (whether with a Cargo or in Ballast), in every Part of the World (1), by a Master who is a *British* Subject, and by a Crew (2) whereof Three Fourths at least are *British* Seamen; and if such Ship be employed in a Coasting Voyage from one Part of the United Kingdom to another, or in a Voyage between the United Kingdom and the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, or from one of the said Islands to another of them, or from one Part of either of them to another of the same, or be employed in fishing on the Coasts of the United Kingdom or of any of the said Islands, then the whole of the Crew shall be *British* Seamen.

XIV. Provided always, and be it enacted, That all *British*-built Boats or Vessels under Fifteen Tons Burden, wholly owned and navigated by *British* Subjects, although not registered as *British* Ships, shall be admitted to be *British* Vessels in all Navigation in the Rivers and upon the Coasts of the United Kingdom, or of the *British* Possessions abroad (3), and not proceeding over Sea, except within the Limits of the respective Colonial Governments within which the managing Owners of such Vessels respectively reside; and that all *British*-built Boats or Vessels wholly owned and navigated by *British* Subjects, not exceeding the Burden of Thirty Tons, and not having a whole or a fixed Deck, and being employed solely in fishing on the Banks and Shores of *Newfoundland* and of the Parts adjacent, or on the Banks and Shores of the Provinces of *Canada, Nova Scotia, or New Brunswick*, adjacent to the *Gulf of Saint Lawrence*, or on the North of *Cape Canso*, or of the Islands within the same, or in trading Coastwise within the said Limits, shall be admitted to be *British* Boats or Vessels, although not registered, so long as such Boats or Vessels shall be solely so employed.

But Vessels under Fifteen Tons Burden admitted in Navigation upon Rivers, &c., although not registered.

Vessels under Thirty Tons for *Newfoundland Fishery, &c.*, need not be registered.

XV. Provided also, and be it enacted, That all Ships built in the *British* Settlements at *Honduras* (4) and owned and navigated as *British* Ships, shall be entitled to the Privileges of *British* registered Ships in all direct

Honduras Ships to be as *British* in Trade with United Kingdom and Colonies in America.

(1) See §§ 19 and 20.

(2) See § 17.

(3) As to Navigation on Lakes in America, see Cap. 93. § 44.

(4) Not being Settlements belonging to Her Majesty. See Cap. 86. § 127. See also Cap. 89. § 5.

Trade between the United Kingdom or the *British* Possessions in *America* and the said Settlements, provided the Master shall produce a Certificate under the Hand of the Superintendent of those Settlements that satisfactory Proof has been made before him that such Ship (describing the same) was built in the said Settlements, and is wholly owned by *British* Subjects: Provided also, that the Time of the Clearance of such Ship from the said Settlements for every Voyage shall be endorsed upon such Certificate by such Superintendent.

Ship of any Foreign Country to be of the Build of or Prize to such Country, or British-built, and owned and navigated by Subjects of the Country.

XVI. And be it enacted, That no Ship shall be admitted to be a Ship of any particular Country, unless she be of the Build of such Country, or have been made Prize of War to such Country, or have been forfeited to such Country under any Law of the same made for the Prevention of the Slave Trade, and condemned as such Prize or Forfeiture by a competent Court of such Country, or be *British*-built (1) (not having been a Prize of War from *British* Subjects to any other Foreign Country), nor unless she be navigated by a Master who is a Subject of such Foreign Country, and by a Crew of whom Three Fourths at least are Subjects of such Country, nor unless she be wholly owned by Subjects of such Country usually residing therein, or under the Dominion thereof: Provided always, that the Country of every Ship shall be deemed to include all Places which are under the same Dominion as the Place to which such Ship belongs.

Master and Seamen not British, unless natural born or naturalized, or Denizens, or Subjects by Conquest or Cession, or having served in Her Majesty's Ships of War.

XVII. And be it enacted, That no Person shall be qualified to be a Master of a *British* Ship or to be a *British* Seaman (2) within the Meaning of this Act, except the natural-born Subjects of Her Majesty, or Persons naturalized by any Act of Parliament, or made Denizens by Letters of Denization, or except Persons who have become *British* Subjects by virtue of Conquest or Cession of some newly acquired Country, and who shall have taken the Oath of Allegiance to Her Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into Her Majesty's Possession, or Persons who shall have served on

(1) British Vessels sold to Foreigners lose British Privileges. See Cap. 89. § 9.

(2) As to Negroes and Lascars, see § 19.

board any of Her Majesty's Ships of War in Time of War for the Space of Three Years: Provided always, that the Natives of Places within the Limits of the *East India* Company's Charter, although under *British* Dominion, shall not, upon the ground of being such Natives, be deemed to be *British* Seamen: Provided always, that every Ship (except Ships required to be wholly navigated by *British* Seamen) which shall be navigated by One *British* Seaman if a *British* Ship, or One Seaman of the Country of such Ship if a Foreign Ship, for every Twenty Tons of the Burden of such Ship, shall be deemed to be duly navigated, although the Number of other Seamen shall exceed One Fourth of the whole Crew: Provided also, that nothing herein contained shall extend to repeal or alter the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, for consolidating and amending the Laws then in force with respect to Trade from and to Places within the Limits of the *East India* Company's Charter (1), nor the Provisions of an Act passed in the Session of Parliament holden in the Third and Fourth Years of Her present Majesty, intituled *An Act further to regulate the Trade of Ships built and trading within the Limits of the East India Company's Charter*.

Natives of India not to be British Seamen.

One British Seaman to Twenty Tons sufficient to constitute a proper Crew.

4 G. 4. c. 80. s. 21.

3 & 4 Vict. c. 56.

XVIII. Provided always, and be it enacted, That it shall be lawful for Her Majesty, by Her Royal Proclamation during War, to declare that Foreigners having served Two Years on board any of Her Majesty's Ships of War in Time of such War shall be *British* Seamen within the Meaning of this Act.

Foreigners having served Two Years on board H. M. S. during War.

XIX. And be it enacted, That no *British* registered Ship shall be suffered to depart any Port in the United Kingdom, or any *British* Possessions in any Part of the World, (whether with a Cargo or in Ballast,) unless duly navigated: Provided always, that any *British* Ships trading between Places in *America* may be navigated by *British* Negroes, and that Ships trading Eastward of the *Cape of Good Hope*, within the Limits of the *East India* Company's Charter, may be navigated by Lascars, or other Natives of Countries within those Limits.

British Ship not to depart British Port unless duly navigated, &c.

(1) See 4 G. 4. Cap. 80. §§ 21, 22.

Penalty for Ex-
cess of Foreign
Seamen.

XX. And be it enacted, That if any *British* registered Ship shall at any Time have as Part of the Crew in any Part of the World any Foreign Seamen not allowed by Law, the Master or Owners of such Ship shall for every such Foreign Seaman forfeit the Sum of Ten Pounds: Provided always, that if a due Proportion of *British* Seamen cannot be procured in any Foreign Port, or in any Place within the Limits of the *East India* Company's Charter, for the Navigation of any *British* Ship, or if such Proportion be destroyed during the Voyage by any unavoidable Circumstance, and the Master of such Ship shall produce a Certificate of such Facts under the Hand of any *British* Consul, or of Two known *British* Merchants if there be no Consul at the Place where such Facts can be ascertained, or from the *British* Governor of any Place within the Limits of the *East India* Company's Charter, or in the Want of such Certificate shall make Proof of the Truth of such Facts to the Satisfaction of the Collector and Comptroller of the Customs of any *British* Port, or of any Person authorized in any other Part of the World to inquire into the Navigation of such Ship, the same shall be deemed to be duly navigated.

Proportion of
Seamen may
be altered by
Proclamation.

XXI. And be it enacted, That if Her Majesty shall at any Time by Her Royal Proclamation declare that the Proportion of *British* Seamen necessary to the due Navigation of *British* Ships shall be less than the Proportion required by this Act, every *British* Ship navigated with the Proportion of *British* Seamen required by such Proclamation shall be deemed to be duly navigated, so long as such Proclamation shall remain in force.

Goods pro-
hibited only by
Navigation Law
may be imported
for Exportation.

XXII. Provided always, and be it enacted, That Goods of any Sort, or the Produce of any Place, not otherwise prohibited than by the Law of Navigation herein-before contained, may be imported into the United Kingdom from any Place in a *British* Ship, and from any Place, not being a *British* Possession, in a Foreign Ship of any Country, and however navigated, to be warehoused for Exportation only (1), under the Provisions of any Law in force for the Time being made for the warehousing of

(1) The Goods must be reported and entered for Exportation only. See Cap. 86. §§ 7. 65.

Goods without Payment of Duty upon the first Entry thereof.

XXIII. And be it enacted, That it shall be lawful for Her Majesty from Time to Time, by any Order in Council, to declare that Goods of any Sort, or the Produce of any Place, not otherwise prohibited than by the Law of Navigation herein-before contained, may be imported into any Port or Ports of the *British* Possessions abroad, to be named in such Order, from any Place, in a *British* Ship, and from any Place not being a Part of the *British* Dominions in a Foreign Ship of any Country, and however navigated, to be warehoused for Exportation only, under the Provisions of any Law in force for the Time being, made for the warehousing of Goods without Payment of Duty upon the first Entry thereof; and from and after the Date of any such Order it shall be lawful so to import, for the Purpose of being warehoused for Exportation only, any such Goods into the Port or Ports named therein, according to the Provisions of the said Order, and until the Revocation thereof; and any such Order in Council may from Time to Time be altered or revoked by Her Majesty by any subsequent Order in Council.

Her Majesty may, by Order in Council, appoint Ports in the *British* Possessions abroad, wherein any Goods imported in any Vessel may be warehoused.

XXIV. And be it enacted, That if any Goods be imported, exported, or carried Coastwise, contrary to the Law of Navigation, all such Goods shall be forfeited, and the Master of the Ship in which the same are so imported, exported, or carried Coastwise shall forfeit the Sum of One hundred Pounds.

Forfeitures, how incurred.

XXV. And be it enacted, That all Penalties and Forfeitures incurred under this Act shall be sued for, prosecuted, recovered, and disposed of, or shall be mitigated or restored, in like Manner as any Penalty or Forfeiture can be sued for, prosecuted, recovered, and disposed of, or may be mitigated or restored under an Act passed in the present Session of Parliament for the Prevention of Smuggling.

Recovery of Forfeitures.

XXVI. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

Alteration of Act.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. LXXXIX.

An Act for the registering of *British Vessels*.
[4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament held in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for the registering of British Vessels*, whereby the Laws in relation to the Registration of *British Vessels* were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of Advantage to Trade and Commerce that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and continue in full Force for the Purposes therein mentioned, except where any other Commencement is herein particularly directed.

3 & 4 W. 4. c. 55.

Commencement
of Act.

CERTIFICATE.

II. And be it enacted, That no Ship or Vessel shall be entitled to any of the Privileges or Advantages of a *British-registered Ship*, unless the Person or Persons claiming Property therein shall have caused the same to have been registered in virtue of the said Act, or of an Act passed in the Sixth Year of the Reign of His late

No Vessel to
enjoy Privileges
until registered.

6 G. 4. c. 110.

4 G. 4. c. 41.

Majesty King George the Fourth, intituled *An Act for registering British Vessels*, or of an Act passed in the Fourth Year of His said late Majesty's Reign, intituled *An Act for the registering of British Vessels*, or until such Person or Persons shall have caused the same to be registered in manner herein-after mentioned, and shall have obtained a Certificate of such Registry from the Person or Persons authorized to make such Registry and grant such Certificate as herein-after directed; the Form of which Certificate shall be as follows; (*videlicet*),

Form of Certificate of Registry.

‘ THIS is to certify, That in pursuance of an Act passed
 ‘ in the Session of Parliament holden in the Eighth
 ‘ and Ninth Years of the Reign of Queen Victoria, inti-
 ‘ tuled *An Act* [*here insert the Title of this Act, the Names,*
 ‘ *Occupations, and Residence of the subscribing Owners*],
 ‘ having made and subscribed the Declaration (1) required
 ‘ by the said Act, and having declared that [*he or they*],
 ‘ together with [*Names, Occupations, and Residence of*
 ‘ *non-subscribing Owners*] is [*or are*] sole Owner [*or*
 ‘ *Owners*] in the Proportions (2) specified on the Back
 ‘ hereof of the Ship or Vessel called the [*Ship's Name*] of
 ‘ [*Place to which the Vessel belongs*], which is of the Bur-
 ‘ den of [*Number of Tons*], and whereof [*Master's Name*]
 ‘ is Master, and that the said Ship or Vessel was [*when*
 ‘ *and where built, or condemned as Prize, referring to*
 ‘ *Builder's Certificate* (3), *Judge's Certificate* (4), or *Cer-*
 ‘ *tificate of last Registry, then delivered up to be cancelled*],
 ‘ and [*Name and Employment of Surveying Officer*]
 ‘ having certified (5) to us that the said Ship or Vessel
 ‘ has [*Number*] Decks and [*Number*] Masts, that her
 ‘ Length from the inner Part of the Main Stem to the fore
 ‘ Part of the Stern-post aloft is [*Feet*
 ‘ *Tenths*], her Breadth in Midships is [*Feet*
 ‘ *Tenths*], her Depth in Hold at Midships
 ‘ is [*Feet* *Tenths*], that she is [*how rigged*]
 ‘ rigged, with a [*standing or running*] Bowsprit, is [*De-*
 ‘ *scription of Stern*] sterned, [*Carvel or Clincher*] built,
 ‘ has [*whether any or not*] Gallery and [*Kind of Head, if*
 ‘ *any*] Head; and the said subscribing Owners having
 ‘ consented and agreed to the above Description, and
 ‘ having caused sufficient Security (6) to be given as re-

(1) See § 13.

(4) See § 32.

(2) See § 35.

(5) See § 15.

(3) See § 28.

(6) See § 23.

‘ quired by the said Act, the said Ship or Vessel called
‘ the [Name] has been duly registered (1) at the Port of
‘ [Name of Port]. Certified under our Hands at the Cus-
‘ tom House in the said Port of [Name of Port], this
‘ [Date] Day of [Name of Month] in the Year [Words at
‘ Length].

‘ (Signed)

Collector.

‘ (Signed)

Comptroller.’

And on the Back of such Certificate of Registry there shall be an Account of the Parts or Shares held by each of the Owners mentioned and described in such Certificate, in the Form and Manner following :

Names of the several Owners within mentioned. (2)				Number of Sixty-fourth Shares held by each Owner.			
[Name]	-	-	-	-	-	-	Thirty-two.
[Name]	-	-	-	-	-	-	Sixteen.
[Name]	-	-	-	-	-	-	Eight.
[Name]	-	-	-	-	-	-	Eight.
(Signed)				Comptroller.			
(Signed)				Collector.			

REGISTERING OFFICERS.

III. And be it enacted, That the Persons authorized and required to make such Registry and grant such Certificates shall be the several Persons herein-after mentioned and described ; (that is to say,) Persons autho-
rized to make
Registry, &c.

The Collector and Comptroller of Her Majesty’s Customs in any Port in the United Kingdom of *Great Britain* and *Ireland* and in the *Isle of Man* respectively, in respect of Ships or Vessels to be there registered : In United King-
dom and Isle of
Man :

The principal Officers of Her Majesty’s Customs in the Islands of *Guernsey* or *Jersey*, together with the Governor, Lieutenant Governor, or Commander-in-Chief of those Islands respectively, in respect of Ships or Vessels to be there registered : In Guernsey,
&c. :

The Collector and Comptroller of Her Majesty’s Customs of any Port in the *British Possessions in Asia*, In Colonies in
Asia, Africa,
and America :

(1) See § 10.
(2) As to Partners in Firms, see § 35. ; and as to Joint Stock Companies, see § 36.

Africa, and *America*, or the Collector of any such Port at which no Appointment of a Comptroller has been made, in respect of Ships or Vessels to be there registered :

In Territories of
East India
Company :

The Collector of Duties at any Port in the Territories under the Government of the *East India* Company, within the Limits of the Charter of the said Company, or any other Person of the Rank in the said Company's Service of Senior Merchant, or of Six Years standing in the said Service, being respectively appointed to act in the Execution of this Act by any of the Governments of the said Company, in respect of Ships or Vessels to be there registered :

In other Places
within Limits of
the Charter of
E. I. C. :

The Collector of Duties at any *British* Possession within the said Limits, and not under the Government of the said Company, and at which a Custom House is not established, together with the Governor, Lieutenant Governor, or Commander-in-Chief of such Possession, in respect of Ships or Vessels to be there registered :

In Malta, Gib-
raltar, &c.

The Governor, Lieutenant Governor, or Commander-in-Chief of *Malta*, *Gibraltar*, and *Heligoland* respectively, in respect of Vessels or Ships to be there registered :

Limitation as
to Vessels re-
gistered at
Malta, Gib-
raltar, or *Heli-
goland*.

Provided always, that no Ship or Vessel shall be registered at *Heligoland*, except such as is wholly of the Build of that Place, and that Ships or Vessels registered at *Malta*, *Gibraltar*, or *Heligoland* shall not be registered elsewhere ; and that Ships or Vessels registered at *Malta*, *Gibraltar*, or *Heligoland* shall not be entitled to the Privileges and Advantages of *British* Ships in any Trade between the said United Kingdom and any of the *British* Possessions in *America* : Provided also, that wherever in and by this Act it is directed or provided that any Act, Matter, or Thing shall and may be done or performed by, to, or with any Collector and Comptroller of Her Majesty's Customs, the same shall or may be done or performed by, to, or with the several Persons respectively herein-before authorized and required to make Registry and to grant Certificates of Registry as aforesaid, and according as the same Act, Matter, or Thing is to be done or performed at the said several and respective Places, and within the Jurisdiction of the said several Persons respectively : Provided also, that wherever in and by this Act it is directed or provided that any Act, Matter, or Thing shall or may

Certain Powers
of Collectors and
Comptrollers,
by whom to be
exercised in
certain Cases.

Powers of Com-
missioners of
Customs in
United King-

be done or performed by, to, or with the Commissioners of Her Majesty's Customs, the same shall or may be done or performed by, to, or with the Governor, Lieutenant Governor, or Commander-in-Chief of any Place where any Ship or Vessel may be registered under the Authority of this Act, so far as such Act, Matter, or Thing can be applicable to the registering of any Ship or Vessel at such Place. (1)

dom given to
Governors, &c.
abroad.

SHIPS PRIVILEGED.

IV. And be it enacted, That in case any Ship or Vessel not being duly registered, and not having obtained such Certificate of Registry as aforesaid, shall exercise any of the Privileges of a *British Ship*, the same shall be subject to Forfeiture, and also all the Guns, Furniture, Ammunition, Tackle, and Apparel to the same Ship or Vessel belonging, and shall and may be seized by any Officer or Officers of Her Majesty's Customs: Provided always, that nothing in this Act shall extend or be construed to extend to affect the Privileges of any Ship or Vessel duly registered prior to the Commencement thereof.

Ships exercising
Privileges be-
fore Registry to
be forfeited ;

but not to affect
Vessels regis-
tered under
previous Acts.

V. And be it enacted, That no Ship or Vessel shall be registered, or having been registered shall be deemed to be duly registered by virtue of this Act, except such as are wholly of the Build of the said United Kingdom, or of the *Isle of Man*, or of the Islands of *Guernsey* or *Jersey*, or of some of the Colonies, Plantations, Islands, or Territories in *Asia*, *Africa*, or *America*, or of *Malta*, *Gibraltar*, or *Heligoland* (2), which belonged to Her Majesty, Her Heirs or Successors, at the Time of the building of such Ships or Vessels, or such Ships or Vessels as shall have been condemned in any Court of Admiralty as Prize of War (3), or such Ships or Vessels as shall have been condemned in any competent Court as forfeited for the Breach of the Laws made for the Prevention of the Slave Trade, and which shall wholly belong and continue wholly to belong to Her Majesty's Subjects duly entitled to be Owners (4) of Ships or Vessels registered by virtue of this Act.

What Ships are
entitled to be
registered.

(1) See also § 47. as to the Power of Governors.

(2) As to the Extent of the Privileges of these last, see § 3.

(3) See § 32.

(4) See §§ 12, 13. 23.

Mediterranean
Pass may be
issued at Malta
or Gibraltar for
certain Ships
only.

VI. And be it enacted, That no *Mediterranean* Pass shall be issued for the Use of any Ship as being a Ship belonging to *Malta* or *Gibraltar*, except such as be duly registered at those Places respectively, or such as, not being entitled to be so registered, shall have wholly belonged, before the Tenth Day of *October* One thousand eight hundred and twenty-seven, and shall have continued wholly to belong, to Persons actually residing at those Places respectively as Inhabitants thereof, and entitled to be Owners of *British* Ships there registered, or who, not being so entitled, shall have so resided upwards of Fifteen Years prior to the said Tenth Day of *October* One thousand eight hundred and twenty-seven.

SHIPS DISQUALIFIED.

Ships disquali-
fied if Foreign
Repairs exceed
20s. per Ton,

VII. And be it enacted, That no Ship or Vessel shall continue to enjoy the Privileges of a *British* Ship after the same shall have been repaired in a Foreign Country, if such Repairs shall exceed the Sum of Twenty Shillings for every Ton of the Burden of the said Ship or Vessel, unless such Repairs shall have been necessary, by reason of extraordinary Damage sustained by such Ship or Vessel during her Absence from Her Majesty's Dominions, to enable her to perform the Voyage in which she shall have been engaged, and to return to some Port or Place in the said Dominions; and whenever any Ship or Vessel which has been so repaired in a Foreign Country shall arrive at any Port in Her Majesty's Dominions as a *British*-registered Ship or Vessel, the Master or other Person having the Charge or Command of the same shall, upon the first Entry thereof, report to the Collector and Comptroller of Her Majesty's Customs at such Port that such Ship or Vessel has been so repaired, under Penalty of Twenty Shillings for every Ton of the Burden of such Ship or Vessel, according to the Admeasurement thereof; and if it shall be proved to the Satisfaction of the Commissioners of Her Majesty's Customs that such Ship or Vessel was seaworthy at the Time when she last departed from any Port or Place in Her Majesty's Dominions, and that no greater Quantity of such Repairs have been done to the said Vessel than was necessary as aforesaid, it shall be lawful for the said Commissioners, upon a full Consideration of all the Circumstances, to direct the Collector and Comptroller of the Port where such Ship or Vessel

unless the Ne-
cessity of such
Repairs be
proved to Com-
missioners of
Customs.

shall have arrived, or where she shall then be, to certify on the Certificate of the Registry of such Ship or Vessel that it has been proved to the Satisfaction of the Commissioners of Her Majesty's Customs that the Privileges of the said Ship or Vessel have not been forfeited, notwithstanding the Repairs which have been done to the same in a Foreign Country.

VIII. And be it enacted, That if any Ship or Vessel registered under the Authority of this or any other Act shall be deemed or declared to be stranded or unseaworthy, and incapable of being recovered or repaired to the Advantage of the Owners thereof, and shall for such Reasons be sold by Order or Decree of any competent Court for the Benefit of the Owners of such Ship or Vessel or other Persons interested therein, the same shall be taken and deemed to be a Ship or Vessel lost or broken up to all Intents and Purposes within the Meaning of this Act, and shall never again be entitled to the Privileges of a *British*-built Ship for any Purposes of Trade or Navigation. (1)

Ships declared unseaworthy to be deemed Ships lost or broken up.

IX. And be it enacted, That no *British* Ship or Vessel which has been or shall hereafter be captured by and become Prize to an Enemy, or sold to Foreigners, shall again be entitled to the Privileges of a *British* Ship: Provided always, that nothing contained in this Act shall extend to prevent the registering of any Ship or Vessel whatever which shall afterwards be condemned in any Court of Admiralty as Prize of War, or in any competent Court, for Breach of Laws made for the Prevention of the Slave Trade.

British Ships captured not to be again entitled to Registry; but Ships condemned in Courts of Admiralty may be registered.

PORT OF REGISTRY.

X. And be it enacted, That no such Registry shall hereafter be made, or Certificate thereof granted, by any Person or Persons herein-before authorized to make such Registry and grant such Certificate, in any other Port or Place than the Port or Place to which such Ship or Vessel shall properly belong (2), except so far as relates to such Ships or Vessels as shall be condemned as Prizes

Ships shall be registered at the Port to which they belong.

(1) As to delivering up Certificate, see § 23.

(2) See § 11.

Commissioners
of Customs may
permit Registry
at other Ports.

Book of Regis-
ters to be kept,
and Accounts to
be transmitted to
Commissioners.

Port to which
Vessels shall be
deemed to be-
long.

Change of sub-
scribing Owner
to require Re-
gistry *de novo*.

If Registry *de
novo* cannot be
made, Ship may
go One Voyage
with Permission
endorsed on

in any of the Islands of *Guernsey*, *Jersey*, or *Man*, which Ships or Vessels shall be registered in manner herein-after directed (1); but all and every Registry and Certificate made and granted in any Port or Place to which any such Ship or Vessel does not properly belong shall be utterly null and void to all Intents and Purposes, unless the Officers aforesaid shall be specially authorized and empowered to make such Registry and grant such Certificate in any other Port by an Order in Writing under the Hands of the Commissioners of Her Majesty's Customs, which Order the said Commissioners are hereby authorized and empowered to issue if they shall see fit; and at every Port where Registry shall be made in pursuance of this Act a Book (2) shall be kept by the Collector and Comptroller, in which all the Particulars contained in the Form of the Certificate of the Registry herein-before directed (3) to be used shall be duly entered; and every Registry shall be numbered in progression, beginning such progressive Numeration at the Commencement of each and every Year; and such Collector and Comptroller shall forthwith, or within One Month at the furthest, transmit to the Commissioners of Her Majesty's Customs a true and exact Copy, together with the Number of every Certificate which shall be by them so granted.

XI. And be it enacted, That every Ship or Vessel shall be deemed to belong to some Port at or near to which some or one of the Owners who shall make and subscribe the Declaration required by this Act (4) before Registry be made, shall reside; and whenever such Owner or Owners shall have transferred all his or their Share or Shares in such Ship or Vessel, the same shall be registered *de novo* before such Ship or Vessel shall sail or depart from the Port to which she shall then belong, or from any other Port which shall be in the same Part of the United Kingdom, or the same Colony, Plantation, Island, or Territory, as the said Port shall be in: Provided always, that if the Owner or Owners of such Ship or Vessel cannot in sufficient Time comply with the Requisites of this Act, so that Registry may be made before it shall be necessary for such Ship or Vessel to sail or depart upon

(1) See § 33.

(2) See § 43, as to Extracts for the Purpose of Evidence.

(3) See § 2.

(4) See § 13.

another Voyage, it shall be lawful for the Collector and Comptroller of the Port where such Ship or Vessel may then be to certify upon the Back of the existing Certificate of Registry of such Ship or Vessel that the same is to remain in force for the Voyage upon which the said Ship or Vessel is then about to sail or depart: Provided also, that if any Ship or Vessel shall be built in any of the Colonies, Plantations, Islands, or Territories in *Asia*, *Africa*, or *America*, to Her Majesty belonging, for Owners residing in the United Kingdom, and the Master of such Ship or Vessel, or the Agent for the Owner or Owners thereof, shall have produced to the Collector and Comptroller of the Port at or near to which such Ship or Vessel was built the Certificate of the Builder required by this Act (1), and shall have made and subscribed a Declaration before such Collector and Comptroller of the Names and Descriptions of the principal Owners of such Ship or Vessel, and that she is the identical Ship or Vessel mentioned in such Certificate of the Builder, and that no Foreigner, to the best of his Knowledge and Belief, has any Interest therein, the Collector and Comptroller of such Port shall cause such Ship or Vessel to be surveyed and measured in like Manner as is directed for the Purpose of registering any Ship or Vessel (2), and shall give the Master of such Ship or Vessel a Certificate under their Hands and Seals, purporting to be under the Authority of this Act, and stating when and where and by whom such Ship or Vessel was built, the Description, Tonnage, and other Particulars required on Registry of any Ship or Vessel, and such Certificate shall have all the Force and Virtue of a Certificate of Registry under this Act, during the Term of Two Years, unless such Ship shall sooner arrive at some Place in the United Kingdom; and such Collector and Comptroller shall transmit a Copy of such Certificate to the Commissioners of Her Majesty's Customs.

Certificate of Registry.

Ships built in Foreign Possessions for Owners resident in United Kingdom may have a Certificate from the Collector, &c. to trade for Two Years or until Arrival in United Kingdom.

OWNERS DISQUALIFIED.

XII. And be it enacted, That no Person who has taken the Oath of Allegiance to any Foreign State (3), except under the Terms of some Capitulation, unless he shall

Foreigners and Persons residing in Foreign Countries may

(1) See § 28.

(2) See § 15.

(3) This includes every Foreigner. See the Declaration required by § 13. See also § 5.

not be Owners, unless Members of British Factories, or Agents for or Partners in British Houses.

afterwards become a Denizen or naturalized Subject of the United Kingdom by Her Majesty's Letters Patent or by Act of Parliament, nor any Person usually residing in any Country not under the Dominion of Her Majesty, Her Heirs and Successors, unless he be a Member of some *British* Factory, or Agent for or Partner in any House or Copartnership actually carrying on Trade in *Great Britain* or *Ireland*, shall be entitled to be the Owner, in whole or in part, directly or indirectly, of any Ship or Vessel required and authorized to be registered by virtue of this Act.

DECLARATION.

Declaration to be made by subscribing Owners previous to Registry.

XIII. And be it enacted, That no Registry shall henceforth be made or Certificate granted until the following Declaration be made and subscribed, before the Person or Persons herein-before authorized (1) to make such Registry and grant such Certificate respectively, by the Owner of such Ship or Vessel if such Ship or Vessel is owned by or belongs to One Person only, or in case there shall be Two joint Owners, then by both of such joint Owners if both shall be resident within Twenty Miles of the Port or Place where such Registry is required, or by One of such Owners if One or both of them shall be resident at a greater Distance from such Port or Place, or if the Number of such Owners or Proprietors shall exceed Two, then by the greater Part of the Number of such Owners or Proprietors, if the greater Number of them shall be resident within Twenty Miles of such Port or Place as aforesaid, not in any Case exceeding Three (2) of such Owners or Proprietors, unless a greater Number shall be desirous to join in making and subscribing the said Declaration, or by One of such Owners if all, or all except One, shall be resident at a greater Distance :

Form of Declaration.

‘ I *A. B.* of [*Place of Residence and Occupation*] do truly
 ‘ declare, That the Ship or Vessel [*Name*] of [*Port or*
 ‘ *Place*], whereof [*Master's Name*] is at present Master,
 ‘ being [*Kind of Build, Burden, et cætera, as described in*
 ‘ *the Certificate of the Surveying Officer*] (3), was [*when*
 ‘ *and where built, or, if Prize or forfeited, Capture and*
 ‘ *Condemnation as such*], and that I the said *A. B.* [*and*

(1) See § 3.

(2) See § 36, as to Joint Stock Companies.

(3) See § 15.

‘ the other Owners Names and Occupations, if any,
 ‘ and where they respectively reside, (*videlicet*,) Town,
 ‘ Place, or Parish, and County, or if Member of and
 ‘ resident in any Factory in Foreign Parts, or in any
 ‘ Foreign Town or City, being an Agent for or Partner in
 ‘ any House or Copartnership actually carrying on Trade
 ‘ in Great Britain or Ireland, the Name of such Factory,
 ‘ Foreign Town, or City, and the Names of such House or
 ‘ Copartnership] am [or are] sole Owner [or Owners] of
 ‘ the said Vessel, and that no other Person or Persons
 ‘ whatever hath or have any Right, Title, Interest, Share,
 ‘ or Property therein or thereto; and that I the said *A.B.*
 ‘ [and the said other Owners, if any,] am [or are] truly
 ‘ and *bonâ fide* a Subject [or Subjects] of Great Britain,
 ‘ and that I the said *A.B.* have not [nor have any of the
 ‘ other Owners, to the best of my Knowledge and Belief,]
 ‘ taken the Oath of Allegiance to any Foreign State
 ‘ whatever [except under the Terms of some Capitulation,
 ‘ describing the Particulars thereof], or that since my
 ‘ taking [or his or their taking] the Oath of Allegiance to
 ‘ [naming the Foreign States respectively to which he or
 ‘ any of the said Owners shall have taken the same] I have
 ‘ [or he or they hath or have] become a Denizen [or
 ‘ Denizens, or naturalized Subject or Subjects, as the Case
 ‘ may be,] of the United Kingdom of Great Britain and
 ‘ Ireland by Her Majesty’s Letters Patent, or by an Act
 ‘ of Parliament [naming the Times when such Letters of
 ‘ Denization have been granted respectively, or the Year or
 ‘ Years in which such Act or Acts for Naturalization have
 ‘ passed respectively], and that no Foreigner, directly or
 ‘ indirectly, hath any Share or Part Interest in the said
 ‘ Ship or Vessel:’

Provided always, that if it shall become necessary to register any Ship or Vessel belonging to any Corporate Body (1) in the United Kingdom, the following Declaration in lieu of the Declaration herein-before directed shall be taken and subscribed by the Secretary or other proper Officer of such Corporate Body; (that is to say,)

Declaration by Corporation.

‘ [*A.B.*, Secretary [or Officer] of [Name of Company or
 ‘ Corporation], do truly declare, That the Ship or
 ‘ Vessel [Name] of [Port] whereof [Master’s Name] is at
 ‘ present Master, being [Kind of Build, Burden, et

(1) See Provision for Joint Stock Companies, § 36.

‘ cætera, as described in the Certificate of the Surveying Officer’], was [when and where built, or, if Prize or forfeited, Capture and Condemnation as such], and that the same doth wholly and truly belong to [Name of Company or Corporation].’

Addition to Declaration in case the required Number of Owners do not attend.

XIV. And be it enacted, That in case the required Number of joint Owners or Proprietors of any Ship or Vessel shall not personally attend to make and subscribe the Declaration herein-before directed to be made and subscribed, then and in such Case such Owner or Owners, Proprietor or Proprietors, as shall personally attend and make and subscribe the Declaration aforesaid, shall further declare that the Part Owner or Part Owners of such Ship or Vessel then absent is or are not resident within Twenty Miles of such Port or Place, and hath or have not, to the best of his or their Knowledge or Belief, wilfully absented himself or themselves in order to avoid the making the Declaration herein-before directed to be made and subscribed, or is or are prevented by Illness from attending to make and subscribe the said Declaration.

SURVEY.

Survey.
—
Vessels to be surveyed previous to Registry.

XV. And in order to enable the Collector and Comptroller of Her Majesty’s Customs to grant a Certificate (1) truly and accurately describing every Ship or Vessel to be registered in pursuance of this Act, and also to enable all other Officers of Her Majesty’s Customs, on due Examination, to discover whether any such Ship or Vessel is the same with that for which a Certificate is alleged to have been granted, be it enacted, That previous to the registering or granting of any Certificate of Registry as aforesaid some One or more Person or Persons appointed by the Commissioners of Her Majesty’s Customs (taking to his or their Assistance, if he or they shall judge it necessary, One or more Person or Persons skilled in the building and Admeasurement of Ships,) shall go on board of every such Ship or Vessel as is to be registered, and shall strictly and accurately examine and admeasure every such Ship or Vessel as to all and every Particular contained in the Form of the Certificate herein-before directed, in the Presence of the Master or of any other Person who

(1) See § 2.

shall be appointed for that Purpose on the Part of the Owner or Owners, or in his or their Absence by the said Master, and shall deliver a true and just Account in Writing of all such Particulars of the Build, Description, and Admeasurement of every such Ship or Vessel as are specified in the Form of the Certificate above recited to the Collector and Comptroller authorized as aforesaid to make such Registry and grant such Certificate of Registry; and the said Master or other Person attending on the Part of the Owner or Owners is hereby required to sign his Name also to the Certificate of such Surveying or Examining Officer, in testimony of the Truth thereof, provided such Master or other Person shall consent and agree to the several Particulars set forth and described therein.

Survey.
—

Certificate of
Survey to be
given.

Owner or Mas-
ter concurring
therein.

XVI. And be it enacted, That from and after the Commencement of this Act the Tonnage of every Ship or Vessel required by Law to be registered shall, previous to her being registered, be measured and ascertained while her Hold is clear, and according to the following Rule; (that is to say,) divide the Length of the upper Deck between the after Part of the Stem and the fore Part of the Stern-post into Six equal Parts; Depths, at the foremost, the middle, and the aftermost of those Points of Division, measure in Feet and decimal Parts of a Foot the Depths from the under Side of the upper Deck to the Ceiling at the Limber Strake; in the Case of a Break in the upper Deck the Depths are to be measured from a Line stretched in a Continuation of the Deck; Breadths, divide each of those Three Depths into Five equal Parts, and measure the inside Breadths at the following Points; (*videlicet*.) at One Fifth and at Four Fifths from the upper Deck of the foremost and aftermost Depths, and at Two Fifths and Four Fifths from the upper Deck of the Midship Depth; Length, at Half the Midship Depth measure the Length of the Vessel from the after Part of the Stem to the fore Part of the Stern-post; then to Twice the Midship Depth add the foremost and the aftermost Depths for the Sum of the Depths; add together the upper and lower Breadths at the foremost Division, Three Times the upper Breadth and the lower Breadth at the Midship Division, and the upper and Twice the lower Breadth at the after Division, for the Sum of the

The Rule by
which Tonnage
of Vessels is to
be ascertained.

Survey.
—

Breadths; then multiply the Sum of the Depths by the Sum of the Breadths, and this Product by the Length, and divide the final Product by Three thousand five hundred, which will give the Number of Tons for Register; if the Vessel have a Poop or Half Deck or a Break in the upper Deck, measure the inside mean Length, Breadth, and Height of such Part thereof as may be included within the Bulkhead; multiply these Three Measurements together, and dividing the Product by 92·4, the Quotient will be the Number of Tons to be added to the Result as above found; in order to ascertain the Tonnage of open Vessels the Depths are to be measured from the upper Edge of the upper Strake.

Mode of ascer-
taining Tonnage
of Steam Ves-
sels.

XVII. Provided always, and be it enacted, That in each of the several Rules herein-before prescribed, when applied for the Purpose of ascertaining the Tonnage of any Ship or Vessel propelled by Steam, the Tonnage due to the Cubical Contents of the Engine Room shall be deducted from the total Tonnage of the Vessel as determined by either of the Rules aforesaid, and the Remainder shall be deemed the true Register Tonnage of the said Ship or Vessel; the Tonnage due to the Cubical Contents of the Engine Room shall be determined in the following Manner; (that is to say,) measure the inside Length of the Engine Room in Feet and decimal Parts of a Foot from the foremost to the aftermost Bulkhead, then multiply the said Length by the Depth of the Ship or Vessel at the Midship Division as aforesaid, and the Product by the inside Breadth at the same Division at Two Fifths of the Depth from the Deck, taken as aforesaid, and divide the last Product by 92·4, and the Quotient shall be deemed the Tonnage due to the Cubical Contents of the Engine Room.

Length and Cu-
bical Contents
of Engine Room
to be set forth in
Description of
Steam Vessel.

XVIII. Provided always, and be it enacted, That the Tonnage due to the Cubical Contents of the Engine Room, and also the Length of the Engine Room, shall be set forth in the Certificate of Registry as Part of the Description of the Ship or Vessel, and that any Alteration of such Tonnage due to the Cubical Contents of the Engine Room, or of such Length of the Engine Room after Registry, shall be deemed to be an Alteration requiring Registry *de novo* within the Meaning of this Act.

XIX. And be it enacted, That for the Purpose of ascertaining the Tonnage of all such Ships as there shall be occasion to measure while their Cargoes are on board, the following Rule shall be observed, and is hereby established; (that is to say,) measure first the Length on the upper Deck between the after Part of the Stem and the fore Part of the Stern-post; secondly, the inside Breadth on the under Side of the upper Deck at the middle Point of the Length; and, thirdly, the Depth from the under Side of the upper Deck down the Pump Well to the Skin; multiply these Three Dimensions together, and divide the Product by One hundred and thirty, and the Quotient will be the Amount of the Register Tonnages of such Ships; if the Vessel have a Poop or Half Deck or a Break in the upper Deck, measure the inside mean Length, Breadth, and Height of such Part thereof as may be included within the Bulkhead, multiply these Three Measurements together, and, dividing the Product by Ninety-two and Four Tenths, the Quotient will be the Number of Tons to be added to the Result above found.

Survey.

Rule for measuring Ships with Cargoes on board.

XX. And be it enacted, That the true Amount of the Register Tonnage of every Ship or Vessel required by Law to be registered, ascertained according to the Rule by this Act established, shall be deeply carved or cut in Figures at least Three Inches in Length on the Main Beam of every such Ship or Vessel prior to her being registered.

Amount of registered Tonnage to be carved on Main Beam.

XXI. And be it enacted, That nothing herein contained shall extend to alter the present Measure of Tonnage of any Ship or Vessel which shall have been registered prior to the Commencement of this Act, unless in Cases where the Owners of any such Ships shall require to have their Tonnage established according to the Rule herein-before provided, or unless there shall be occasion to have any such Ship admeasured again on account of any Alteration which shall have been made in the Form or Burden of the same, in which Cases only such Ships shall be re-admeasured according to the said Rule, and their Tonnage registered accordingly.

Not to alter Tonnage of Vessels already registered.

XXII. And be it enacted, That whenever the Tonnage of any Ship or Vessel shall have been ascertained according to the Rules herein prescribed, such Account of Ton-

Tonnage when so ascertained to be ever after deemed the Tonnage.

Survey.
—

nage shall ever after be deemed the Tonnage of such Ship or Vessel, and shall be repeated in every subsequent Registry of such Ship or Vessel, unless it shall happen that any Alteration has been made in the Form and Burden of such Ship or Vessel, or it shall be discovered that the Tonnage of such Ship or Vessel had been erroneously taken and computed.

REGISTRY BOND.

Registry.
—

Bond to be given
at the Time of
Registry.

XXIII. And be it enacted, That at the Time of the obtaining of the Certificate of Registry as aforesaid (1) sufficient Security by Bond (2) shall be given to Her Majesty, Her Heirs and Successors, by the Master and such of the Owners as shall personally attend as is herein-before required, such Security to be approved of and taken by the Person or Persons herein-before authorized to make such Registry, and grant such Certificate of Registry, at the Port or Place in which such Certificate shall be granted, in the Penalties following; (that is to say,) if such Ship or Vessel shall be a decked Vessel, or be above the Burden of Fifteen Tons, and not exceeding Fifty Tons, then in the Penalty of One hundred Pounds; if exceeding the Burden of Fifty Tons, and not exceeding One hundred Tons, then in the Penalty of Three hundred Pounds; if exceeding the Burden of One hundred Tons, and not exceeding Two hundred Tons, then in the Penalty of Five hundred Pounds; if exceeding the Burden of Two hundred Tons, and not exceeding Three hundred Tons, then in the Penalty of Eight hundred Pounds; and if exceeding the Burden of Three hundred Tons, then in the Penalty of One thousand Pounds; and the Condition of every such Bond shall be, that such Certificate shall not be sold, lent, or otherwise disposed of to any Person or Persons whatever, and that the same shall be solely made use of for the Service of the Ship or Vessel for which it is granted; and that in case such Ship or Vessel shall be lost (3) or taken by the Enemy, burnt or broken up, or otherwise prevented from returning to the Port to which [she belongs, or shall on any account have lost and forfeited the Privileges of a *British Ship* (4) or

Conditions that
the Certificate
shall be solely
made use of for
the Service of
the Vessel, or
given up to be
cancelled, in
certain Cases.

(1) See § 2.

(2) As to Stamp Duty, see § 25.

(3) See Vessels unseaworthy, § 8.

(4) See §§ 5. 7. 8. and 9.

shall have been seized and legally condemned for illicit Trading, or shall have been taken in execution for Debt, and sold by due Process of Law, or shall have been sold to the Crown, or shall under any Circumstances have been registered *de novo*, the Certificate, if preserved, shall be delivered up within One Month after the Arrival of the Master in any Port or Place in Her Majesty's Dominions to the Collector and Comptroller of some Port in *Great Britain*, or of the *Isle of Man*, or of the *British* Plantations, or to the Governor, Lieutenant Governor, or Commander-in-Chief for the Time being of the Islands of *Guernsey* or *Jersey*; and that if any Foreigner, or any Person or Persons for the Use and Benefit of any Foreigner, shall purchase or otherwise become entitled to the whole or to any Part or Share of or any Interest in such Ship or Vessel, and the same shall be within the Limits of any Port of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, or *Man*, or of the *British* Colonies, Plantations, Islands, or Territories aforesaid, then and in such Case the Certificate of Registry shall, within Seven Days after such Purchase or Transfer of Property in such Ship or Vessel, be delivered up to the Person or Persons herein-before authorized to make Registry, and grant Certificate of Registry, at such Port or Place respectively as aforesaid; and if such Ship or Vessel shall be in any Foreign Port when such Purchase or Transfer of Property shall take place, then that the Certificate shall be delivered up to the *British* Consul, or other chief *British* Officer resident at or nearest to such Foreign Port, or if such Ship or Vessel shall be at Sea when such Purchase or Transfer of Property shall take place, then that the Certificate shall be delivered up to the *British* Consul or other chief *British* Officer at the Foreign Port or Place in or at which the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall first arrive after such Purchase or Transfer of Property at Sea, immediately after his Arrival at such Foreign Port; but if such Master or other Person who had the Command thereof at the Time of such Purchase or Transfer of Property at Sea shall not arrive at a Foreign Port, but shall arrive at some Port of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, or *Man*, or of Her Majesty's said Colonies, Plantations, Islands, or Territories, then that the Certificate shall be delivered up in manner aforesaid within Fourteen Days after the Arrival of such Ship or Vessel, or of the

Registry.

If Ship at the Time of Registry be at any other Port than that of Registry, the Master may there give Bond.

Person who had the Command thereof in any Port of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, or *Man*, or of any of Her Majesty's said Colonies, Plantations, Islands, or Territories: Provided always, that if it shall happen that at the Time of Registry of any Ship or Vessel the same shall be at any other Port than the Port to which she belongs, so that the Master of such Ship or Vessel cannot attend at the Port of Registry to join with the Owner or Owners in such Bond as aforesaid, it shall be lawful for him to give a separate Bond to the like Effect at the Port where such Ship or Vessel may then be, and the Collector and Comptroller of such other Port shall transmit such Bond to the Collector and Comptroller of the Port where such Ship or Vessel is to be registered; and such Bond, and the Bond also given by the Owner or Owners, shall together be of the same Effect against the Master and Owner or Owners, or either of them, as if they had bound themselves jointly and severally in One Bond.

When Master is changed, new Master to give similar Bond, and his Name to be endorsed on Certificate of Registry.

XXIV. And be it enacted, That when and so often as the Master or other Person having or taking the Charge or Command of any Ship or Vessel, registered in manner herein-before directed, shall be changed, the Master or Owner of such Ship or Vessel shall deliver to the Person or Persons herein-before authorized to make such Registry, and grant such Certificates of Registry, at the Port where such Change shall take place, the Certificate of Registry belonging to such Ship or Vessel, who shall thereupon endorse and subscribe a Memorandum of such Change, and shall forthwith give Notice of the same to the proper Officer of the Port or Place where such Ship or Vessel was last registered pursuant to this Act, who shall likewise make a Memorandum of the same in the Book of Registers which is hereby directed and required to be kept, and shall forthwith give Notice thereof to the Commissioners of Her Majesty's Customs: Provided always, that before the Name of such new Master shall be endorsed on the Certificate of Registry he shall be required to give and shall give a Bond in the like Penalties and under the same Conditions as are contained in the Bond herein-before required to be given at the Time of Registry of any Ship or Vessel.

Bonds liable to same Duties

XXV. And be it enacted, That all Bonds required by this Act shall be liable to the same Duties of Stamps as

Bonds given for or in respect of the Duties of Customs are or shall be liable to under any Act for the Time being in force for granting Duties of Stamps.

Registry.

Bonds for
Customs.

XXVI. And be it enacted, That if any Person whatever shall at any Time have possession of and wilfully detain any Certificate of Registry granted under this or any other Act, which ought to be delivered up to be cancelled, according to any of the Conditions of the Bond herein-before required to be given upon the Registry of any Ship or Vessel, such Person is hereby required and enjoined to deliver up such Certificate of Registry in manner directed by the Conditions of such Bond in the respective Cases and under the respective Penalties therein provided.

Certificate of
Registry to be
given up by all
Persons as
directed by the
Bond.

SHIP'S NAME.

XXVII. And be it enacted, That it shall not be lawful for any Owner or Owners of any Ship or Vessel to give any Name to such Ship or Vessel (1) other than that by which she was first registered in pursuance of this or any other Act; and the Owner or Owners of all and every Ship or Vessel which shall be so registered shall, before such Ship or Vessel after such Registry shall begin to take in any Cargo, paint or cause to be painted in White or Yellow Letters, of a Length of not less than Four Inches, upon a Black Ground, upon some conspicuous Part of the Stern, the Name by which such Ship or Vessel shall have been registered, and the Port to which she belongs, in a distinct and legible Manner, and shall so keep and preserve the same; and if such Owner or Owners, or Master or other Person having or taking the Charge or Command of such Ship or Vessel, shall permit such Ship or Vessel to begin to take in any Cargo before the Name of such Ship or Vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in anywise hide or conceal, or cause or procure or permit the same to be done, (unless in the Case of square-rigged Vessels in Time of War,) or shall, in any written or printed Paper or other Document describe such Ship or Vessel by any Name other than that by which she was first registered, or shall verbally describe or cause or procure or permit such Ship or Vessel to be described by any other Name to any Officer

Name of Vessel
which has been
registered never
afterwards to be
changed, and to
be painted on
the Stern.

(1) As to the Names of Boats, see Cap. 87. §§ 12, 13.

Registry.

Penalty for
Omission, 100*l*.

or Officers of Her Majesty's Revenue in the due Execution of his or their Duty, then and in every such Case such Owner or Owners, or Master or other Person having or taking the Charge or Command of such Ship or Vessel, shall forfeit the Sum of One hundred Pounds.

BUILDER'S CERTIFICATE.

Builder's Certificate of Particulars of Ship.

XXVIII. And be it enacted, That all and every Person and Persons who shall apply for a Certificate of the Registry of any Ship or Vessel shall and they are hereby required to produce to the Person or Persons authorized to grant such Certificate (1) a true and full Account (2), under the Hand of the Builder of such Ship or Vessel, of the proper Denomination of such Vessel, and of the Time when and the Place where such Ship or Vessel was built, and also an exact Account of the Tonnage of such Ship or Vessel, together with the Name of the first Purchaser or Purchasers thereof, (which Account such Builder is hereby directed and required to give under his Hand, on the same being demanded by such Person or Persons so applying for a Certificate as aforesaid,) and shall also make and subscribe a Declaration before the Person or Persons herein-before authorized to grant such Certificate that the Ship or Vessel for which such Certificate is required is the same with that which is so described by the Builder as aforesaid: Provided always, that where by reason of the Death of such Builder, or some other unavoidable Cause, such Certificate cannot be produced, it shall be lawful for the Commissioners of Her Majesty's Customs, on Proof being made to their Satisfaction of all the Particulars required as aforesaid, to dispense with the Account hereby required under the Hand of the Builder, and to allow the Certificate of Registry to be granted.

Declaration to
be made there-
to.

Power to Com-
missioners of
Customs to
dispense with
Builder's Cer-
tificate.

LOST CERTIFICATE OF REGISTRY.

Certificate of
Registry lost
or mislaid.

XXIX. And be it enacted, That if the Certificate of Registry of any Ship or Vessel shall be lost or mislaid so that the same cannot be found or obtained for the Use of such Ship or Vessel when needful, and Proof thereof shall be made to the Satisfaction of the Commissioners of Her

(1) See § 3.

(2) For Penalty, if false, see § 48.

Majesty's Customs (1), such Commissioners shall and may permit such Ship or Vessel to be registered *de novo*, and a Certificate thereof to be granted: Provided always, that if such Ship or Vessel be absent and far distant from the Port to which she belongs, or by reason of the Absence of the Owner or Owners, or of any other Impediment, Registry of the same cannot then be made in sufficient Time, such Commissioners shall and may grant a Licence for the present Use of such Ship or Vessel, which Licence shall, for the Time and to the Extent specified therein, and no longer, be of the same Force and Virtue as a Certificate of Registry: Provided also, that before such Registry *de novo* be made the Owner or Owners and Master shall give Bond to the Commissioners aforesaid, in such Sum as to them shall seem fit, with a Condition that if the Certificate of Registry shall at any Time afterwards be found the same shall be forthwith delivered to the proper Officers of Her Majesty's Customs to be cancelled, and that no illegal Use has been or shall be made thereof with his or their Privity or Knowledge; and further, that before any such Licence shall be granted as aforesaid the Master of such Ship or Vessel shall also make and subscribe a Declaration that the same has been registered as a *British Ship*, naming the Port where and the Time when such Registry was made, and all the Particulars contained in the Certificate thereof, to the best of his Knowledge and Belief, and shall also give such Bond and with the same Condition as is herein-before mentioned: Provided also, that before any such Licence shall be granted such Ship or Vessel shall be surveyed in like Manner as if a Registry *de novo* were about to be made thereof, and the Certificate of such Survey shall be preserved by the Collector and Comptroller of the Port to which such Ship or Vessel shall belong; and in virtue thereof it shall be lawful for the said Commissioners and they are hereby required to permit such Ship or Vessel to be registered after her Departure, whenever the Owner or Owners shall personally attend to take and subscribe the Declaration required by this Act before Registry be made, and shall also comply with all other Requisites of this Act, except so far as relates to the Bond to be given by the Master of such Ship or Vessel, which Certificate or Registry the said Commissioners shall and may transmit to the Collector and Comptroller of any

Registry.

Commissioners
may permit Re-
gistry *de novo*,
or grant
Licence.

Bond respecting
lost Certificate.

Before Licence
granted Ship
to be surveyed.

(1) See like Power to Governors, § 3.

Registry.
—

other Port, to be by them given to the Master of such Ship or Vessel upon his giving such Bond, and delivering up the Licence which had been granted for the then present Use of such Ship or Vessel.

Persons detain-
ing Certificate
of Registry to
forfeit 100*l*.

XXX. And whereas it is not proper that any Person, under any Pretence whatever, should detain the Certificate of Registry of any Ship or Vessel, or hold the same for any Purpose other than the lawful Use and Navigation of the Ship or Vessel for which it was granted; be it therefore enacted, That in case any Person who shall have received or obtained, by any Means or for any Purpose whatever, the Certificate of the Registry of any Ship or Vessel, (whether such Person shall claim to be the Master or to be the Owner or one of the Owners of such Ship or Vessel or not,) shall wilfully detain and refuse to deliver up the same to the proper Officers of Her Majesty's Customs for the Purposes of such Ship or Vessel, as Occasion shall require, or to the Person or Persons having the actual Command, Possession, and Management of such Ship or Vessel as the ostensible and reputed Master, or as the ostensible and reputed Owner or Owners thereof, it shall be lawful to and for any such last-mentioned Person to make Complaint, on Oath, of such Detainer and Refusal to any Justice of the Peace residing near to the Place where such Detainer and Refusal shall be in *Great Britain or Ireland*, or to any Member of the Supreme Court of Justice, or to any Deemster or Justice of the Peace, in the Islands of *Jersey, Guernsey, or Man*, or in any Colony, Plantation, Island, or Territory to Her Majesty belonging in *Asia, Africa, or America*, or in *Malta, Gibraltar, or Heligoland*, where such Detainer and Refusal shall be in any of the Places last mentioned; and on such Complaint the said Justice or other Magistrate shall and is hereby required, by Warrant under his Hand and Seal, to cause the Person so complained against to be brought before him to be examined touching such Detainer and Refusal; and if it shall appear to the said Justice or other Magistrate, on Examination of such Person or otherwise, that the said Certificate of Registry is not lost or mislaid, but is wilfully detained by the said Person, such Person shall be thereof convicted, and shall forfeit and pay the Sum of One hundred Pounds, and on failure of Payment thereof he shall be committed to the Common Gaol, there to remain without Bail or Mainprize for such Time as the said Justice or

Registry.
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other Magistrate shall in his Discretion deem proper, not being less than Three Months nor more than Twelve Months ; and the said Justice or other Magistrate shall certify the aforesaid Detainer, Refusal, and Conviction to the Person or Persons who granted such Certificate of Registry for such Ship or Vessel, who shall, on the Terms and Conditions of Law being complied with, make Registry of such Ship or Vessel *de novo*, and grant a Certificate thereof conformably to Law, notifying on the Back of such Certificate the Ground upon which such Ship or Vessel was so registered *de novo* ; and if the Person who shall have detained and refused to deliver up such Certificate of Registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded, so that the said Warrant of the Justice or other Magistrate cannot be executed upon him, and Proof thereof shall be made to the Satisfaction of the Commissioners of Her Majesty's Customs, it shall be lawful for the said Commissioners to permit such Ship or Vessel to be registered *de novo*, or otherwise, in their Discretion, to grant a Licence for the present Use of such Ship or Vessel, in like Manner as is herein-before provided in the Case wherein the Certificate of Registry is lost or mislaid. (1)

SHIP ALTERED.

XXXI. And be it enacted, That if any Ship or Vessel, after she shall have been registered, shall in any Manner whatever be altered so as not to correspond with all the Particulars contained in the Certificate of her Registry, in such Case such Ship or Vessel shall be registered *de novo*, in manner herein-before required (2), as soon as she returns to the Port to which she belongs, or to any other Port which shall be in the same Part of the United Kingdom, or in the same Colony, Plantation, Island, or Territory as the said Port shall be in, on failure whereof such Ship or Vessel shall to all Intents and Purposes be considered and deemed and taken to be a Ship or Vessel not duly registered.

Ship altered in
certain Manner
to be registered
de novo.

PRIZE.

XXXII. And be it enacted, That the Owner or Owners of all Ships and Vessels taken by any of Her

Vessels con-
demned as Prize,

(1) See § 29.

(2) See §§ 11. 18.

Registry.

or for Breach of
Laws against
Slave Trade,
Certificate of
Condemnation
to be produced.

Majesty's Ships or Vessels of War, or by any private or other Ship or Vessel, and condemned as lawful Prize in any Court of Admiralty, or of Ships or Vessels condemned in any competent Court as forfeited for Breach of the Laws for the Prevention of the Slave Trade, shall, for the Purpose of registering any such Ship or Vessel, produce to the Collector and Comptroller of Her Majesty's Customs a Certificate of the Condemnation of such Ship or Vessel under the Hand and Seal of the Judge of the Court in which such Ship or Vessel shall have been condemned (which Certificate such Judge is hereby authorized and required to grant), and also a true and exact Account in Writing of all the Particulars contained in the Certificate herein-before set forth, to be made and subscribed by One or more skilful Person or Persons to be appointed by the Court then and there to survey such Ship or Vessel, and shall also make and subscribe a Declaration before the Collector and Comptroller that such Ship or Vessel is the same Vessel which is mentioned in the Certificate of the Judge aforesaid.

Prize Vessels
not to be regis-
tered at Guern-
sey, Jersey, or
Man, but at
certain Ports.

XXXIII. Provided always, and be it enacted, That no Ship or Vessel which shall be taken and condemned as Prize or Forfeiture as aforesaid shall be registered in the Islands of *Guernsey*, *Jersey*, or *Man*, although belonging to Her Majesty's Subjects residing in those Islands, or in some one or other of them, but the same shall be registered either at *Southampton*, *Weymouth*, *Exeter*, *Plymouth*, *Falmouth*, *Liverpool*, or *Whitehaven* by the Collector and Comptroller at such Ports respectively, who are hereby authorized and required to register such Ship or Vessel, and to grant a Certificate thereof in the Form and under the Regulations and Restrictions in this Act contained.

BILL OF SALE.

Transfers.

Transfer of
Interest to be
made by Bill
of Sale.

XXXIV. And be it enacted, That when and so often as the Property in any Ship or Vessel, or any Part thereof, belonging to any of Her Majesty's Subjects, shall, after Registry thereof, be sold to any other or others of Her Majesty's Subjects, the same shall be transferred by Bill of Sale (1), or other Instrument in Writing, containing a Recital of the Certificate of Registry of such Ship or Vessel, or the

(1) See § 37.

principal Contents thereof, otherwise such Transfer shall not be valid or effectual for any Purpose whatever either in Law or in Equity: Provided always, that no Bill of Sale shall be deemed void by reason of any Error in such Recital, or by the Recital of any former Certificate of Registry instead of the existing Certificate, provided the Identity of the Ship or Vessel intended in the Recital be effectually proved thereby.

Transfers.
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DIVISION INTO SHARES.

XXXV. And be it enacted, That the Property in every Ship or Vessel of which there are more than One Owner shall be taken and considered to be divided into Sixty-four equal Parts or Shares, and the Proportion held by each Owner shall be described in the Registry as being a certain Number of Sixty-fourth Parts or Shares, and that no Person shall be entitled to be registered as an Owner of any Ship or Vessel in respect of any Proportion of such Ship or Vessel which shall not be an integral Sixty-fourth Part or Share of the same; and upon the first Registry of any Ship or Vessel, the Owner or Owners who shall take and subscribe the Declaration required by this Act (1) before Registry be made shall also declare the Number of such Parts or Shares then held by each Owner, and the same shall be so registered accordingly: Provided always, that if it shall at any Time happen that the Property of any Owner or Owners in any Ship or Vessel cannot be reduced by Division into any Number of integral Sixty-fourth Parts or Shares, it shall and may be lawful for the Owner or Owners of such fractional Parts as shall be over and above such Number of integral Sixty-fourth Parts or Shares into which such Property in any Ship or Vessel can be reduced by Division to transfer the same one to another, or jointly to any new Owner, by Memorandum upon their respective Bills of Sale, or by fresh Bill of Sale, without such Transfer being liable to any Stamp Duty: Provided also, that the Right of any Owner or Owners to any such fractional Parts shall not be affected by reason of the same not having been registered: Provided also, that it shall be lawful for any Number of such Owners named and described in such

Property in
Ships to be
divided into
Sixty-four Parts
or Shares.

(1) See § 13.

Transfers.

Registry, being Partners in any House or Copartnership actually carrying on Trade in any Part of Her Majesty's Dominions, to hold any Ship or Vessel, or any Share or Shares of any Ship or Vessel, in the Name of such House or Copartnership, as joint Owners thereof, without distinguishing the proportionate Interest of each of such Owners; and that such Ship or Vessel, or the Share or Shares thereof so held in Copartnership, shall be deemed and taken to be Partnership Property to all Intents and Purposes, and shall be governed by the same Rules both in Law and Equity as relate to and govern all other Partnership Property in any other Goods, Chattels, and Effects whatsoever.

Only Thirty-two Persons to be Owners of any Ship at One Time.

XXXVI. And be it enacted, That no greater Number than Thirty-two Persons shall be entitled to be legal Owners at One and the same Time of any Ship or Vessel as Tenants in common, or to be registered as such: Provided always, that nothing herein contained shall affect the equitable Title of Minors, Heirs, Legatees, Creditors, or others, exceeding that Number, duly represented by or holding from any of the Persons within the said Number registered as legal Owners of any Share or Shares of such Ship or Vessel: Provided also, that if it shall be proved to the Satisfaction of the Commissioners of Her Majesty's Customs that any Number of Persons have associated themselves as a Joint Stock Company for the Purpose of owning any Ship or Vessel, or any Number of Ships or Vessels, as the joint Property of such Company, and that such Company have duly elected or appointed any Number not less than Three of the Members of the same to be Trustees of the Property in such Ship or Vessel or Ships or Vessels so owned by such Company, it shall be lawful for such Trustees, or any Three of them, with the Permission of such Commissioners, to make and subscribe the Declaration required by this Act (1) before Registry be made, except that instead of stating therein the Names and Descriptions of the other Owners they shall state the Name and Description of the Company to which such Ship or Vessel or Ships or Vessels shall in such Manner belong.

Joint Stock Companies.

Trustees may apply to have Registry made.

(1) See § 13.

TRANSFERS.

Transfers.

XXXVII. And be it enacted, That no Bill of Sale or other Instrument in Writing shall be valid and effectual to pass the Property in any Ship or Vessel, or in any Share thereof, or for any other Purpose (1), until such Bill of Sale or other Instrument in Writing shall have been produced to the Collector and Comptroller of the Port at which such Ship or Vessel is already registered, or to the Collector and Comptroller of any other Port at which she is about to be registered *de novo*, as the Case may be, nor until such Collector and Comptroller respectively shall have entered in the Book of such last Registry in the one Case, or in the Book of such Registry *de novo*, after all the Requisites of Law for such Registry *de novo* shall have been duly complied with, in the other Case, (and which they are respectively hereby required to do upon the Production of the Bill of Sale or other Instrument for that Purpose,) the Name, Residence, and Description of the Vendor or Mortgagor (2), or of each Vendor or Mortgagor if more than One, the Number of Shares transferred, the Name, Residence, and Description of the Purchaser or Mortgagee, or of each Purchaser or Mortgagee if more than One, and the Date of the Bill of Sale or other Instrument and of the Production of it; and further, if such Ship or Vessel is not about to be registered *de novo*, the Collector and Comptroller of the Port where such Ship is registered shall and they are hereby required to endorse the aforesaid Particulars of such Bill of Sale or other Instrument on the Certificate of Registry of the said Ship or Vessel, when the same shall be produced to them for that Purpose, in manner and to the Effect following; (*videlicet*,)

Bills of Sale not effectual until produced to Officers of Customs, and entered in the Book of Registry or of intended Registry.

‘ Custom House [*Port and Date.*]
 ‘ [*Name, Residence, and Description of Vendor or*
 ‘ *Mortgagor*] (3) has transferred by [*Bill of Sale or*
 ‘ *other Instrument*], dated [*Date; Number of Shares*] to
 ‘ [*Name, Residence, and Description of Purchaser or*
 ‘ *Mortgagee*]. ‘ *A.B. Collector.*
 ‘ *C.D. Comptroller.*’

Form of Endorsement.

(1) See §§ 45, 46.

(2) See §§ 45, 46.

(3) See additional Words in certain Cases, § 45.

Transfers.

And forthwith to give Notice thereof to the Commissioners of Customs; and in case the Collector and Comptroller shall be desired so to do, and the Bill of Sale or other Instrument shall be produced to them for that Purpose, then the said Collector and Comptroller are hereby required to certify by Endorsement upon the Bill of Sale or other Instrument that the Particulars before mentioned have been so entered in the Book of Registry, and endorsed upon the Certificate of Registry as aforesaid.

Entry of Bill of Sale to be valid, except in certain Cases.

XXXVIII. And be it enacted, That when and so soon as the Particulars of any Bill of Sale or other Instrument by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred, shall have been so entered in the Book of Registry as aforesaid, the said Bill of Sale or other Instrument shall be valid and effectual to pass the Property thereby intended to be transferred as against all and every Person and Persons whatsoever, and to all Intents and Purposes, except as against such subsequent Purchasers and Mortgagees who shall first procure the Endorsement to be made upon the Certificate of Registry of such Ship or Vessel in manner herein-after mentioned. (1)

When a Bill of Sale has been entered for any Shares, Thirty Days shall be allowed for endorsing the Certificate of Registry before any other Bill of Sale for the same shall be entered.

XXXIX. And be it enacted, That when and after the Particulars of any Bill of Sale or other Instrument by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred (2), shall have been so entered in the Book of Registry as aforesaid, the Collector and Comptroller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or Instrument purporting to be a Transfer by the same Vendor or Mortgagor or Vendors or Mortgagors of the same Ship or Vessel, Share or Shares thereof, to any other Person or Persons, unless Thirty Days shall elapse from the Day on which the Particulars of the former Bill of Sale or other Instrument were entered in the Book of Registry, or in case the Ship or Vessel was absent from the Port to which she belonged at the Time when the Particulars of such former Bill of Sale or other Instrument were entered in the Book of Registry, then unless Thirty Days shall have elapsed from

(1) See § 39.

(2) See § 37.

the Day on which the Ship or Vessel arrived at the Port to which the same belonged ; and in case the Particulars of Two or more such Bills of Sale or other Instruments as aforesaid shall at any Time have been entered in the Book of Registry of the said Ship or Vessel, the Collector and Comptroller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or other Instrument as aforesaid, unless Thirty Days shall in like Manner have elapsed from the Day on which the Particulars of the last of such Bills of Sale or other Instrument were entered in the Books of Registry, or from the Day on which the Ship or Vessel arrived at the Port to which she belonged, in case of her Absence as aforesaid ; and in every Case where there shall at any Time happen to be Two or more Transfers by the same Owner or Owners of the same Property in any Ship or Vessel entered in the Book of Registry as aforesaid, the Collector and Comptroller are hereby required to endorse upon the Certificate of Registry of such Ship or Vessel the Particulars of that Bill of Sale or other Instrument under which the Person or Persons claims or claim Property, who shall produce the Certificate of Registry for that Purpose within Thirty Days next after the Entry of his said Bill of Sale or other Instrument in the Book of Registry as aforesaid, or within Thirty Days next after the Return of the said Ship or Vessel to the Port to which she belongs, in case of her Absence at the Time of such Entry as aforesaid ; and in case no Person or Persons shall produce the Certificate of Registry within either of the said Spaces of Thirty Days, then it shall be lawful for the Collector and Comptroller and they are hereby required to endorse upon the Certificate of Registry the Particulars of the Bill of Sale or other Instrument to such Person or Persons as shall first produce the Certificate of Registry for that Purpose, it being the true Intent and Meaning of this Act that the several Purchasers and Mortgagees of such Ship or Vessel, Share or Shares thereof, when more than One appear to claim the same Property, or to claim Security on the same Property, in the same Rank and Degree, shall have Priority one over the other, not according to the respective Times when the Particulars of the Bill of Sale or other Instrument by which such Property was transferred to them were entered in the Book of Registry as aforesaid, but according to the Time when the Endorsement is made upon the Certificate of Registry as aforesaid :

Nature of the
Priority intended
in this Act.

Transfers.

Provision in
case Certificate
be mislaid.

Provided always, that if the Certificate of Registry shall be lost or mislaid (1), or shall be detained (2) by any Person whatever, so that the Endorsement cannot in due Time be made thereon, and Proof thereof shall be made by the Purchaser or Mortgagee, or his known Agent, to the Satisfaction of the Commissioners of Her Majesty's Customs, it shall be lawful for the said Commissioners to grant such further Time as to them shall appear necessary for the Recovery of the Certificate of Registry, or for the Registry *de novo* of the said Ship or Vessel under the Provisions of this Act (3); and thereupon the Collector and Comptroller shall make a Memorandum in the Book of Registers of the further Time so granted, and during such Time no other Bill of Sale shall be entered for the Transfer of the same Ship or Vessel, or the same Share or Shares thereof, or for giving the same Security thereon.

Bills of Sale
may be pro-
duced after
Entry at other
Ports than those
to which Vessels
belong, and
Transfers en-
dorsed on Cer-
tificate of Re-
gistry.

Previous Notice
to be given to
Officers at the
Port of Re-
gistry.

XL. And be it enacted, That if the Certificate of Registry of such Ship or Vessel shall be produced to the Collector and Comptroller of any Port where she may then be after any such Bill of Sale shall have been recorded at the Port to which she belongs, together with such Bill of Sale containing a Notification of such Record, signed by the Collector or Comptroller of such Port as before directed (4), it shall be lawful for the Collector and Comptroller of such other Port to endorse on such Certificate of Registry (being required so to do) the Transfer mentioned in such Bill of Sale, and such Collector and Comptroller shall give Notice thereof to the Collector and Comptroller of the Port to which such Ship or Vessel belongs, who shall record the same in like Manner as if they had made such Endorsement themselves, but inserting the Name of the Port at which such Endorsement was made: Provided always, that the Collector and Comptroller of such other Port shall first give Notice to the Collector and Comptroller of the Port to which such Ship or Vessel belongs of such Requisition made to them to endorse the Certificate of Registry, and the Collector and Comptroller of the Port to which such Ship or Vessel belongs shall thereupon send Information to the Collector and Comptroller of such other Port whether any and what

(1) See § 29.

(3) See §§ 29, 30.

(2) See § 30.

(4) See § 37.

other Bill or Bills of Sale have been recorded in the Book of the Registry of such Ship or Vessel; and the Collector and Comptroller of such other Port having such Information shall proceed in manner directed by this Act in all respects to the endorsing of the Certificate of Registry as they would do if such Port were the Port to which such Vessel belonged.

Transfers.
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XLI. And be it enacted, That if it shall become necessary to register any Ship or Vessel *de novo*, and any Share or Shares of such Ship or Vessel shall have been sold since she was last registered, and the Transfer of such Share or Shares shall not have been recorded and endorsed in manner herein-before directed, the Bill of Sale thereof shall be produced to the Collector and Comptroller of Her Majesty's Customs, who are to make Registry of such Ship or Vessel, otherwise such Sale shall not be noticed in such Registry *de novo*, except as herein-after excepted (1): Provided always, that upon the future Production of such Bill of Sale, and of the existing Certificate of Registry, such Transfer shall and may be recorded and endorsed as well after such Registry *de novo* as before.

If upon Registry *de novo* any Bill of Sale shall not have been recorded, it shall then be produced.

XLII. And be it enacted, That if upon any Change of Property in any Ship or Vessel the Owner or Owners shall desire to have the same registered *de novo*, although not required by this Act, and the Owner or proper Number of Owners shall attend at the Custom House at the Port to which such Ship or Vessel belongs for that Purpose, it shall be lawful for the Collector and Comptroller of Her Majesty's Customs at such Port to make Registry *de novo* of such Ship or Vessel at the same Port, and to grant a Certificate thereof, the several Requisites herein-before in this Act mentioned and directed being first duly observed and complied with.

Upon Change of Property Registry *de novo* may be granted if desired, although not required by this Act.

XLIII. And whereas great Inconvenience hath arisen from the Registering Officers being served with Subpœnas, requiring them to bring with them, and produce on Trials in Courts of Law relative to the Ownery of Vessels or otherwise, the Oaths or Declarations required to be taken by the Owners thereof prior to the registering thereof,

Copies of Declarations, &c., and of Extracts from Books of Registry, admitted in Evidence.

(1) See § 44.

Transfers.
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and the Books of Registry or Copies or Extracts therefrom : And whereas it would tend much to the Despatch of Business if the Attendance of such Registering Officers with the same upon such Trials were dispensed with ; be it therefore enacted, That the Collector and Comptroller of Her Majesty's Customs at any Port or Place, and the Person or Persons acting for them respectively, shall, upon every reasonable Request by any Person or Persons whomsoever, produce and exhibit for his, her, or their Inspection and Examination any Oath or Declaration sworn or made by any such Owner or Owners, Proprietor or Proprietors, and also any Registry or Entry in any Book or Books of Registry required by this Act to be made or kept relative to any Ship or Vessel, and shall, upon every reasonable Request by any Person or Persons whomsoever, permit him, her, or them to take a Copy or Copies or an Extract or Extracts thereof respectively, and that the Copy and Copies of any such Oath or Declaration, Register or Entry, shall, upon being proved to be a true Copy or Copies thereof respectively, be allowed and received as Evidence upon every Trial at Law, without the Production of the Original or Originals, and without the Testimony or Attendance of any Collector or Comptroller, or other Person or Persons acting for them respectively, in all Cases as fully and to all Intents and Purposes as such Original or Originals, if produced by any Collector or Collectors, Comptroller or Comptrollers, or other Person or Persons acting for them, could or might legally be admitted or received in Evidence.

If Vessels or Shares sold in the Absence of Owners, without formal Powers, Commissioners may permit Record of such Sales or Registry *de novo*, as the Case may require ;

XLIV. And be it enacted, That if the Ship or Vessel, or the Share or Shares of any Owner thereof who may be out of the Kingdom, shall be sold in his Absence by his known Agent or Correspondent under his Directions, either expressed or implied, and acting for his Interest in that Behalf, and such Agent or Correspondent who shall have executed a Bill of Sale to the Purchaser of the whole of such Ship or Vessel, or of any Share or Shares thereof, shall not have received a legal Power to execute the same, it shall be lawful for the Commissioners of Her Majesty's Customs, upon Application made to them, and Proof to their Satisfaction of the fair Dealings of the Parties, to permit such Transfer to be registered, if Registry *de novo* be necessary, or to be recorded and endorsed, as the Case may be, in manner directed by this Act, as if such legal

Power had been produced; and also if it shall happen that any Bill of Sale cannot be produced, or if, by reason of Distance of Time or the Absence or Death of Parties concerned, it cannot be proved that a Bill of Sale for any Share or Shares in any Ship or Vessel had been executed, and Registry *de novo* of such Ship or Vessel shall have become necessary, it shall be lawful for the Commissioners of Her Majesty's Customs, upon Proof to their Satisfaction of the fair Dealings of the Parties, to permit such Ship or Vessel to be registered *de novo*, in like Manner as if a Bill of Sale for the Transfer of such Share or Shares had been produced: Provided always, that in any of the Cases herein mentioned good and sufficient Security shall be given to produce a legal Power or Bill of Sale within a reasonable Time, or to abide the future Claims of the absent Owner, his Heirs and Successors, as the Case may be, and, at the future Request of the Party whose Property has been so transferred without the Production of a Bill of Sale from him or from his lawful Attorney, such Bond shall be available for the Protection of his Interest, in addition to any Powers or Rights which he may have in Law or Equity against the Ship or Vessel, or against the Parties concerned, until he shall have received full Indemnity for any Loss or Injury sustained by him.

Transfers.

and also in other Cases where Bills of Sale cannot be produced;

Security being given to produce legal Powers, or abide future Claims.

MORTGAGE.

XLV. And be it enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof, shall be made only as a Security for the Payment of a Debt or Debts, either by way of Mortgage or of Assignment to a Trustee or Trustees for the Purpose of selling the same for the Payment of any Debt or Debts, then and in every such Case the Collector and Comptroller of the Port where the Ship or Vessel is registered shall, in the Entry in the Book of Registry (1), and also in the Endorsement on the Certificate of Registry in manner herein-before directed (2), state and express that such Transfer was made only as a Security for the Payment of a Debt or Debts, or by way of Mortgage, or to that Effect; and the Person or Persons to whom such Transfer shall be made, or any other Person or Persons claiming under him or them as a Mortgagee or Mortgagees, or a Trustee or Trustees only,

Transfer by way of Mortgage.

Mortgagee not to be deemed an Owner

(1) See § 37.

(2) See Form of Endorsement, § 37.

Transfers.

shall not by reason thereof be deemed to be the Owner or Owners of such Ship or Vessel, Share or Shares thereof, nor shall the Person or Persons making such Transfer be deemed by reason thereof to have ceased to be an Owner or Owners of such Ship or Vessel, any more than if no such Transfer had been made, except so far as may be necessary for the Purpose of rendering the Ship or Vessel, Share or Shares, so transferred, available, by Sale or otherwise, for the Payment of the Debt or Debts for securing the Payment of which such Transfer shall have been made.

Transfers of
Ships for Security of Debts
being registered,
Rights of Mortgagee not affected by any Act
of Bankruptcy
of Mortgagor,
&c.

XLVI. And be it enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof, shall have been made as a Security for the Payment of any Debt or Debts, either by way of Mortgage or of Assignment as aforesaid, and such Transfer shall have been duly registered according to the Provisions of this Act (1), the Right or Interest of the Mortgagee or other Assignee as aforesaid shall not be in any Manner affected by any Act or Acts of Bankruptcy committed by such Mortgagor or Assignor, Mortgagors or Assignors, after the Time when such Mortgage or Assignment shall have been so registered as aforesaid, notwithstanding such Mortgagor or Assignor, Mortgagors or Assignors, at the Time he or they shall so become bankrupt as aforesaid, shall have in his, her, or their Possession, Order, and Disposition, and shall be the reputed Owner or Owners of the said Ship or Vessel, or the Share or Shares thereof so by him or them mortgaged or assigned as aforesaid, but such Mortgage or Assignment shall take place of and be preferred to any Right, Claim, or Interest which may belong to the Assignee or Assignees of such Bankrupt or Bankrupts in such Ship or Vessel, Share or Shares thereof, any Law or Statute to the contrary thereof notwithstanding.

Governors of
Colonies, &c.
may cause Proceedings in Suits
to be stayed.

XLVII. And be it enacted, That it shall and may be lawful for any Governor (2), Lieutenant Governor, or Commander-in-Chief of any of Her Majesty's Colonies, Plantations, Islands, or Territories, and they are hereby respectively authorized and required, if any Suit, Information, Libel, or other Prosecution or Proceeding of any Nature or Kind whatever shall have been commenced or

(1) See §§ 37, 39.

(2) See Powers of Governors, § 3.

shall hereafter be commenced in any Court whatever in any of the said Colonies, Plantations, Islands, or Territories respectively touching the Force and Effect of any Register granted to any Ship or Vessel, upon a Representation made to any such Governor, Lieutenant Governor, or Commander-in-Chief, to cause all Proceedings thereon to be stayed, if he shall see just Cause so to do, until Her Majesty's Pleasure shall be known and certified to him by Her Majesty, by and with the Advice of Her Majesty's Privy Council; and such Governor, Lieutenant Governor, or Commander-in-Chief is hereby required to transmit to one of Her Majesty's Principal Secretaries of State, to be laid before Her Majesty in Council, an authenticated Copy of the Proceedings in every such Case, together with his Reasons for causing the same to be stayed, and such Documents (properly verified) as he may judge necessary, for the Information of Her Majesty.

XLVIII. And be it enacted, That if any Person or Persons shall falsely make Declaration to any of the Matters herein-before required to be verified by Declaration, or if any Person or Persons shall counterfeit, erase, alter, or falsify any Certificate or other Instrument in Writing required or directed to be obtained, granted, or produced by this Act, or shall knowingly or wilfully make use of any Certificate or other Instrument so counterfeited, erased, altered, or falsified, or shall wilfully grant such Certificate or other Instrument in Writing, knowing it to be false, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

Penalty for making false Declaration or falsifying any Document.

XLIX. And be it enacted, That the Person or Persons registered as Owner or Owners of any *British* Ship or Vessel which shall have been lost or taken by the Enemy, or burnt or broken up, or otherwise prevented from returning to the Port to which such Ship or Vessel belongs, or which shall on any account have lost or forfeited the Privileges of a *British* Ship, shall, immediately upon obtaining Knowledge of any of the Circumstances aforesaid, give Notice in Writing of such Circumstances to the Collector or Comptroller of the Customs at the Port of Registry of such Ship or Vessel.

Owners of *British* Vessels to give Notice to Collectors of Customs at the Port of Registry of the Loss, &c. of such Vessels.

L. And be it enacted, That in all Cases where any *British*-registered Ship or Vessel shall have been absent

Or if Vessels absent from the

Port of Registry for Three Years, to state the Cause.

from the Port of Registry for the Space of Three Years, the Person or Persons registered as the Owner or Owners of such Ship or Vessel shall in like Manner give Notice in Writing to the Collector or Comptroller of the Customs at such Port, stating therein the Cause of such Absence, and that the said Vessel has not forfeited her Privileges as a *British Ship*.

Failing to give such Notices, &c., to forfeit 5*l*.

LI. And be it enacted, That every such Owner or Owners failing to give such Notice in either of the Cases aforesaid, or making any untrue Statement in respect of any such Ship or Vessel, shall forfeit the Sum of Five Pounds.

How Penalties are to be recovered;

LII. And be it enacted, That all the Penalties and Forfeitures inflicted and incurred by this Act shall and may be sued for, prosecuted, recovered, and disposed of in such Manner, and by such Ways, Means, and Methods, as any Penalties or Forfeitures inflicted or which may be incurred for any Offences committed against any Law relating to the Customs may now legally be sued for, prosecuted, recovered, and disposed of; and that the Officer or Officers concerned in Seizures or Prosecutions under this Act shall be entitled to and receive the same Share of the Produce arising from such Seizures as in the Case of Seizures for unlawful Importation, and to such Share of the Produce arising from any pecuniary Fine or Penalty for any Offence against this Act as any Officer or Officers is or are now by any Law or Regulation entitled to upon Prosecutions for pecuniary Penalties.

and Officers Shares.

Alteration of Act.

LIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P X C.

An Act for granting Duties of Customs.

[4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for granting Duties of Customs*, whereby the several Duties of Customs were consolidated into One Act: And whereas since the passing of the said Act divers Parts of Acts altering the said Duties have been passed, and it will be of advantage to the Trade and Commerce of the Country that the said several Duties should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein, except where any other Commencement is herein particularly directed.

3 & 4 W. 4. c. 56.

Commencement
of Act.

II. And be it enacted, That in lieu and instead of all other Duties and Drawbacks of Customs (except the Duties and Drawbacks upon Corn, Grain, Meal or Flour, Sugar, and Molasses) (1) there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and

Instead of all other Duties of Customs (except on Corn, &c.), there shall be paid and allowed the

(1) For the Duties on Corn, see 5 & 6 Vict. c. 14. For those on Sugar, see 8 Vict. c. 5.

Duties and Drawbacks specified in the Tables annexed.

Successors, upon Goods, Wares, and Merchandize imported into or exported from the United Kingdom, the several Duties of Customs, and there shall be allowed the several Drawbacks (1), as the same are respectively inserted, described, and set forth in Figures in the Tables marked (A.) and (B.) to this Act annexed, together with the additional Duties herein-after mentioned.

Duties on Corn, &c. to be raised, &c., in the same Manner as Duties mentioned in this Act.

III. And be it enacted, That the Duties imposed upon Corn, Grain, Meal, and Flour by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws for the Importation of Corn*, shall be raised, levied, collected, and paid in such and the same Manner in all respects as the several Duties of Customs mentioned in this Act are directed to be raised, levied, collected, and paid.

An additional Duty of 4*d.* per Gallon to be levied upon Spirits, and of Five per Cent. upon all other Articles.

IV. And be it enacted, That there shall be charged, raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, in addition to the Duties mentioned in the said Table marked (A.), upon every Gallon of Spirits or Strong Waters of all Sorts imported into the United Kingdom a further Duty of Four-pence, and upon all the Articles enumerated in the said Table marked (A.), except Spirits and Strong Waters, a further Duty of Five *per Centum* upon the Amount of the several Duties in and by the said Table marked (A.) respectively charged upon the said Articles, and each of them, except the following Articles; (that is to say,)

Isinglass;
Oils, chemical, essential, or perfumed;
Oils, essential, of Cloves;
Pickles preserved in Vinegar;
Pickles or Vegetables preserved in Salt;
Refined Camphor;
Smalts;
Turpentine;
Verdigris;
Yarn Cable;
Glass of all Sorts.

(1) For the Drawback on Rice, and the Conditions upon which it is to be paid, see §§ 15, 16.

V. And be it enacted, That the Amount of Drawbacks granted, allowed, and made payable upon Goods, Wares, and Merchandize exported from or used or consumed in *Great Britain* or *Ireland*, under or by virtue of any Act or Acts in force in *Great Britain* or *Ireland*, on or immediately before the passing of this Act, shall remain and continue payable (1) with respect to such Goods, Wares, and Merchandize as, having paid the Duties imposed upon the Importation thereof by any such Act or Acts, shall, from and after the passing of this Act, be exported from or be so used or consumed in *Great Britain* or *Ireland* respectively.

Goods having paid Duties imposed by former Acts to be entitled to Drawbacks.

VI. And be it enacted and declared, That all Goods whatsoever which shall have been warehoused without Payment of Duty upon the first Importation thereof, and which shall be in the Warehouse at the Commencement of the Duties imposed by this Act, shall be deemed and taken to be liable to such Duties.

Goods in Warehouse to be liable to the Duties imposed by this Act.

VII. And be it enacted, That the Duties and Drawbacks by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, and recovered, and allowed and applied or appropriated, under the Provisions of an Act passed in the present Session of Parliament, intituled *An Act for the general Regulation of the Customs*.

Duties and Drawbacks to be under the Management of the Commissioners of Customs.

VIII. And be it enacted, That it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, by Her Order in Council, from Time to Time to order and direct that there shall be levied and collected any additional Duty, not exceeding One Fifth of the Amount of any existing Duty, upon all or any Goods, Wares, or Merchandize, the Growth, Produce, or Manufacture of any Country which shall levy higher or other Duties upon any Article the Growth, Produce, or Manufacture of any of Her Majesty's Dominions than upon the like Article the Growth, Produce, or Manufacture of any other Foreign Country, and in like Manner to impose such additional Duties upon all or any Goods when imported in the Ships of any Country which shall levy higher or other Duties

Reciprocal Duties to be levied on Foreign Merchandize, &c.

(1) See Limitation of Time, Cap. 86. § 99.

upon any Goods when imported in *British* Ships than when imported in the national Ships of such Country, or which shall levy higher or other Tonnage or Port or other Duties upon *British* Ships than upon such national Ships, or which shall not place the Commerce or Navigation of this Kingdom upon the Footing of the most favoured Nation in the Ports of such Country, and either to prohibit the Importation of any manufactured Article the Produce of such Country in the event of the Export of the raw Material of which such Article is wholly or in part made being prohibited from such Country to the *British* Dominions, or to impose an additional Duty, not exceeding One Fifth as aforesaid, upon such manufactured Article, and also to impose such additional Duty in the event of such raw Material being subject to any Duty upon being exported from the said Country to any of Her Majesty's Dominions; and all Duties imposed by any such Order shall be deemed to be Duties imposed by this Act. (1)

IX. And whereas by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America, and a Treaty with the Prince Regent of Portugal*, divers Provisions were made respecting the Duties payable and the Bounties and Allowances to be granted upon the Importation and Exportation of Goods, Wares, and Merchandize into or from the United Kingdom in Vessels of the United States and in *Portuguese* Vessels, and respecting the Repayment to certain Corporations, Bodies Politic and Corporate, and sundry other Persons, of the Amount of the Sums of Money of which they would be deprived by means of the said Act, and it was thereby enacted that the said Act should continue in force so long as the Convention therein recited between His said late Majesty and the United States of *America*, and the Treaty therein recited between His said late Majesty and His Royal Highness the Prince Regent of *Portugal*, and so long as any Treaty to be made with any Foreign Power with the similar Provisions therein-before recited, should respectively continue in force: And whereas, subsequently to the Enactment of the said recited Act, Her

(1) For further Powers of this Nature, see 4 G. 4. c. 77. and 5 G. 4. c. 1. Appendix.

59 G. 3. c. 54. to apply to all Foreign Powers as well as United States and Portugal, and to Duties on Goods as well as on Ships.

Majesty and Her Royal Predecessors have made and concluded with divers Foreign Powers Treaties containing Provisions similar to those recited in the said recited Act, and Doubts have arisen whether, according to the true Construction thereof, the said Act doth apply and extend to the Trade and Shipping of such other Foreign Powers, and whether the same applies to differential Duties or Charges on Goods imported or exported in Foreign Ships as well as to differential Duties and Charges on Foreign Ships, and it is expedient that such Doubts be removed; be it therefore enacted and declared, That from and after the Ratification of any Treaty heretofore made by Her Majesty or any of Her Royal Predecessors subsequently to the Enactment of the said Act, or of any Treaty which may hereafter be made by Her Majesty, Her Heirs and Successors, with any such Foreign Power, in which Treaty has been or shall be contained Provisions similar to those recited in the said recited Act, all and every the Provisions, Clauses, Matters, and Things in the said recited Act contained shall apply and extend to the Trade and Shipping of such Foreign Powers respectively as fully and effectually to all Intents and Purposes as to the Trade and Shipping of the said United States and of the said Kingdom of *Portugal*, and also shall apply and extend to differential Duties or Charges on Goods imported or exported in the Ships of such Foreign Powers as well as to differential Duties on the Ships of such Foreign Powers.

X. Provided nevertheless, and be it enacted and declared, That the said recited Act doth not extend, and shall not be construed to extend, to grant to or to confer upon the Trade or Shipping of the said United States or of the said Kingdom of *Portugal*, or of any other Foreign Power, or to the Subjects of such States or Kingdom, or of any such Foreign Power as aforesaid, any other or greater Advantage than such as shall have been stipulated for by and granted to the said United States, the said Kingdom of *Portugal*, or any such other Foreign Power, by the respective Treaties subsisting and in force between them respectively and Her Majesty, Her Heirs and Successors, or Her Royal Predecessors, but that the said Act shall be so construed and applied as to give full and complete Effect to such respective Treaties so long as the same shall respectively remain in force, and is to provide such, and only such, Indemnity as therein mentioned to such Bodies

Recited Act not to be construed as granting Powers beyond subsisting Treaties.

Politie and Corporate, and other Persons as are therein mentioned, for such Losses as they shall respectively sustain by the Execution of such respective Treaties.

Her Majesty,
with Advice of
Privy Council,
to declare the
Powers with
whom Treaties
are subsisting.

XI. And for the Prevention of Uncertainty herein, be it enacted, That it shall and may be lawful for Her Majesty, Her Heirs and Successors, by any Order or Orders to be by Her or Them made, with the Advice of Her or Their Privy Council, and published in the *London Gazette*, from Time to Time to declare what are the Foreign Powers with which any such Treaty or Treaties as aforesaid is or are subsisting, and this present Act and the said recited Act shall apply and shall be deemed from the Time of the Ratification of any such Treaties to have been applicable to the Trade and Shipping of such Foreign Countries as shall be so mentioned in any such Order or Orders in Council as aforesaid, so long as any such Order or Orders shall continue unrevoked, and no longer.

Lords of Treas-
ury may reduce
Duties on Ships
or Goods of
Countries under
Reciprocity.

XII. And be it enacted, That in any Case where any Treaty is in force between Her Majesty and any Foreign State, containing any Stipulations that no higher Duties or Charges shall be levied on the Vessels or Produce of such Foreign State, or upon Goods exported or imported in the Vessels of such Foreign State than on *British* Vessels or Produce, or upon the like Goods exported or imported in *British* Vessels, or any direct or indirect Stipulations to the like Effect, or for the like Objects, or any of them, it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Two or more of them, from Time to Time to give Directions that all Duties or Charges imposed by any Act passed after the Tenth Day of *July* One thousand eight hundred and forty-two upon the Vessels of such Foreign State entering or leaving any Port of Her Majesty's Dominions, or upon Articles of the Growth, Produce, or Manufacture of the Dominions of such Foreign State, or upon any Articles imported into the United Kingdom in Vessels of such Foreign State, or upon any Articles (or any particular Classes of Articles) exported from the United Kingdom (or exported from the United Kingdom to any particular Place or Places), shall be reduced to the same Rates as are in the like Cases imposed upon *British* Vessels, or upon the like Articles of *British* Growth, Produce, or Manufacture, or

upon the like Articles imported into or exported from the United Kingdom in *British* Vessels, or to give so much of the said Directions as the Case may require.

XIII. And be it enacted, That all Manufactures of *Gibraltar, Malta, and Heligoland* made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

Manufactures of Gibraltar, &c. from Foreign Materials deemed Foreign.

XIV. And whereas a Treaty has been concluded between Her Majesty and the United States of *America*, dated the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, whereby it is stipulated that all the Produce of the Forest in Logs, Lumber, Timber, Timber Boards, Staves, or Shingles, or of Agriculture, not being manufactured, grown on any of those Parts of the State of *Maine* watered by the River *Saint John* or by its Tributaries, of which Fact reasonable Evidence shall, if required, be produced, shall have free Access into and through the said River and its Tributaries having their Source within the State of *Maine* to and from the Seaport at the Mouth of the River *Saint John*, and to and round the Falls of the said River, either by Boats, Rafts, or other Conveyance, and that when within the Province of *New Brunswick* the said Produce shall be dealt with as if it were the Produce of the said Province: And whereas it is the Intention of the High Contracting Parties to the said Treaty that the aforesaid Produce should be dealt with as if it were the Produce of the Province of *New Brunswick*; be it therefore enacted, That the Produce in the said recited Treaty and herein-before described shall, so far as regards all Laws relating to Duties, Navigation, and Customs in force in the United Kingdom, or in any of Her Majesty's Dominions, be deemed and taken to be and be dealt with as the Produce of the Province of *New Brunswick*: Provided nevertheless, that in all Cases in which Declarations and Certificates of Production or Origin, and Certificates of Clearance, would be required in respect of such Produce if it were the Produce of *New Brunswick*, similar Declarations and Certificates shall be required in respect of such Produce, and shall state the

Certain Produce of the State of Maine to be treated as the Produce of New Brunswick.

same to be the Produce of those Parts of the State of *Maine* which are entered by the River *Saint John* or by its Tributaries.

Drawback on
the Exportation
of Foreign Rice
or Paddy.

XV. And be it enacted, That upon the Exportation from the United Kingdom of any Foreign Rice or Paddy which shall have been cleaned therein, and which shall have paid the Duties payable on the Importation thereof, there shall be allowed and paid for every Hundred Weight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the rough Rice or Paddy from which the same shall have been cleaned.

Conditions on
which such
Drawback is
to be paid.

XVI. Provided always, and be it enacted, That such Drawback upon Rice so exported shall be paid and allowed only upon such clean Rice as shall be deposited for the Purpose of Exportation, within One Calendar Month from the Day on which the Duty thereon had been paid, in some Warehouse in which Rice may be warehoused on Importation without Payment of Duty, and shall there remain secured until duly shipped to be exported from such Warehouse: Provided also, that the Exporter of such Rice shall make Declaration before the Collector or Comptroller that the Rice so warehoused for Exportation was cleaned from the rough Rice or Paddy upon which the Duties had been so paid.

Warehousing
of Goods.

XVII. And be it enacted, That it shall be lawful for the Importer of any Goods subject to any Duties of Customs to warehouse such Goods upon the first Entry thereof, under the Laws in force for the warehousing of Goods (1), without Payment of Duty upon such first Entry, and that all Goods which shall have been so warehoused before the Commencement of any such Duties, and shall remain so warehoused after the Commencement of the same, shall become liable to such Duties in lieu of all former Duties.

Cape of Good
Hope deemed
to be within

XVIII. And be it enacted, That for the Purposes of this Act the *Cape of Good Hope* (2), and the Territories and Dependencies thereof, shall be deemed to be within

(1) See Cap. 91.

(2) See general Power to regulate the Trade, Cap. 93. § 90.; also as to Cape of Good Hope, see Cap. 93. § 62.

the Limits of the *East India* Company's Charter, and the Island of *Mauritius* (1) shall be deemed to be one of Her Majesty's Sugar Colonies, and placed upon the same Footing in all respects as Her Majesty's Islands in the *West Indies*.

Limits of
Charter ;
Mauritius as
West Indies.

XIX. And be it enacted, That all Goods the Produce of Places within the Limits of the *East India* Company's Charter having been imported into *Malta* or *Gibraltar* (2), from those Places in *British* Ships shall, upon subsequent Importation into the United Kingdom direct from *Malta* or *Gibraltar*, be liable to the same Duties as the like Goods would respectively be liable to if imported direct from some Place within the Limits of the said Charter.

Produce of
Limits of
Charter im-
ported from
Malta or
Gibraltar.

XX. And whereas by the Consolidation of the different Branches of the public Revenue, and of the several Duties payable on the Importation or Exportation of Goods, Wares, and Merchandize, and the Appropriation thereof, as directed by the several Acts in force in *England*, the hereditary and temporary Revenues of the Crown of Subsidies of Tonnage and Poundage, and of other Duties upon Goods, Wares, and Merchandize arising in *England*, are not now kept distinct and separate at the several Offices, but have become blended with other Duties of Customs and Tonnage both in the Collection and Appropriation thereof: And whereas it is expedient that Provision should be made for ascertaining the annual Amount of what such hereditary Revenues would have produced in case the same had not been so consolidated, and that an Account should hereafter be kept of such annual Amount; be it therefore enacted, That from and after the passing of this Act the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, shall cause to be prepared and kept an Account of what such hereditary Revenue arising in *England* would have amounted to in case the same had not been and was not consolidated and collected with other Duties of Customs and Tonnage in the Collection and Appropriation thereof, in such Manner and Form as shall appear to the said Commissioners of

An Account of
the Amount of
hereditary
Revenues of
the Crown to be
kept separate.

(1) As to Mauritius, see Cap. 93. § 61.

(2) As to Right of Importation, see Cap. 88. § 3. See also Malta deemed in Europe, Cap. 86. § 128.

Her Majesty's Treasury for the Time being best adapted to ascertain such Amount, which Account the said Commissioners for the Time being are hereby required to make out, or cause to be made out, and laid before Parliament, together with the public Accounts directed to be laid before Parliament, pursuant to the Provisions of the several Acts for directing public Accounts to be laid annually before Parliament.

Not to affect
the hereditary
Revenue in
Scotland.

XXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect or to alter the hereditary Revenue of Her Majesty, Her Heirs and Successors, in *Scotland*, or other Revenues there granted to His late Majesty King *George* the Second, during his Life, and reserved to Her present Majesty during Her Life, by an Act passed in the First Year of Her present Majesty's Reign, but the same, and the Civil Establishment payable out of the same, shall continue to be paid in like Manner as heretofore, any thing in this Act contained to the contrary notwithstanding.

Duties to be
paid into the
Exchequer, and
carried to the
Consolidated
Fund.

XXII. And be it enacted, That all the Monies arising by the Duties imposed by this Act (the necessary Charges of raising and accounting for the same excepted) shall from Time to Time be paid into the Receipt of Her Majesty's Exchequer in *Great Britain*, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, except only as by this Act is specially provided, and shall be appropriated in like Manner and to the same Services as the Duties by this Act repealed would have been if this Act had not been passed.

Duties due
before the
passing of this
Act, but levied
after, to be
deemed Duties
under this Act,
and appropri-
ated as such.

XXIII. And be it enacted, That all Monies arising from any Duties of Customs, or any Arrears thereof, shall be raised, levied, collected, paid, or received from and after the passing of this Act, for or on account of any Goods, Wares, or Merchandize whatever imported or brought into the United Kingdom of *Great Britain* and *Ireland*, or exported from the said United Kingdom, although the Amount of the said Duties may have been computed and ascertained as such Duties have been computed and ascertained before the passing of this Act, and although the Goods, Wares, or Merchandize whereon any such Duties of Customs may have been charged or may be charged

may have been imported into or exported from the United Kingdom before the passing of this Act, and although any Duties of Customs due and payable, or charged or chargeable thereon, may have been secured by Bond or otherwise on or before the passing of this Act; and all such Monies shall from and after the passing of this Act be appropriated and applied in like Manner and to the same Purposes as the Duties of Customs by this Act granted are directed to be appropriated and applied, except as is in this Act provided, any Act or Acts of Parliament, Law, Usage, or Custom, to the contrary notwithstanding; and that all Monies arising by any of the Revenues of Customs hereafter to be paid or allowed, either upon Bond or otherwise, either by way of Drawback, Bounty, Certificate, Premium, or Allowance, or by any other legal Document whatever, from and after the passing of this Act, although the Amount of the same shall have been computed and ascertained in like Manner in which they have heretofore been usually computed and ascertained, or shall have become due before the passing of this Act, shall and may be paid or allowed in like Manner by the proper Officer or Officers of the Customs out of any Monies in their Hands arising from the Duties of Customs respectively.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Alteration of
Act.

SCHEDULE to which the foregoing Act refers.

TABLE (A.)

GOODS, WARES, AND MERCHANDIZE IMPORTED.

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Agates or Cornelians, not set						
_____ set - for every 100 <i>l</i> . Value	Free.			Free.		
Ale and Beer, of all Sorts - the Barrel	15	0	0	15	0	0
Alganobilla Seed - - - - -	Free.			Free.		
Alkali - - - - -	—			—		
Alkanet Root - - - - -	—			—		
Almonds, not Jordan, nor Bitter - the Cwt.	0	10	0	0	10	0
_____ Jordan - - - the Cwt.	1	5	0	1	5	0
_____ Bitter - - - - -	Free.			Free.		
_____ Paste of - - for every 100 <i>l</i> . Value	20	0	0	20	0	0
Aloes - - - - -	Free.			Free.		
Alum - - - - -	—			—		
_____ Rock - - - - -	—			—		
Amber, rough - - - - -	—			—		
_____ Manufactures of, not enumerated, _____ for every 100 <i>l</i> . Value	15	0	0	15	0	0
Ambergris - - - - -	Free.			Free.		
Amboyna Wood - - - - -	—			—		
Anchovies - - - - - the lb.	0	0	2	—		
Angelica - - - - -	Free.			Free.		
Animals (living), viz.						
_____ Asses - - - - - each	0	2	6	0	1	3
_____ Goats - - - - - each	0	1	0	0	0	6
_____ Kids - - - - - each	0	1	0	0	0	6
_____ Oxen and Bulls - - - each	1	0	0	0	10	0
_____ Cows - - - - - each	0	15	0	0	7	6
_____ Calves - - - - - each	0	10	0	0	5	0
_____ Horses, Mares, Geldings, Colts, Foals	1	0	0	0	10	0
_____ Mules - - - - - each	0	2	6	0	1	3
_____ Sheep - - - - - each	0	3	0	0	1	6
_____ Lambs - - - - - each	0	2	0	0	1	0
_____ Swine and Hogs - - - each	0	5	0	0	2	6
_____ Pigs (sucking) - - - each	0	2	0	0	1	0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Annatto Roll and Flag - - - -	Free.	Free.
Antimony, <i>viz.</i>		
— Ore of - - - -	—	—
— Crude - - - -	—	—
— Regulus - - - -	—	—
Apples, raw - - - - the Bushel	0 0 6	0 0 2
— dried - - - - the Bushel	0 2 0	0 2 0
Aquafortis - - - - the Cwt.	0 5 0	0 5 0
Argol - - - -	Free.	Free.
Aristolochia - - - -	—	—
Arrowroot - - - - the Cwt.	0 5 0	0 1 0
Arsenic - - - -	Free.	Free.
Ashes, <i>viz.</i>		
— Pearl and Pot - - - -	—	—
— Soap, Weed, and Wood - - - -	—	—
— not enumerated - - - -	—	—
Asphaltum or Bitumen Judaicum - - - -	—	—
Bacon - - - - the Cwt.	0 14 0	0 3 6
Balsams, unenumerated - - - -	Free.	Free.
Bandstring Twist, the Dozen Knots, each containing 32 Yards - - - -	0 5 0	0 2 6
Barilla - - - -	Free.	Free.
Bark - - - -	—	—
Bark, Extract of, or other Vegetable Substances to be used only for tanning Leather - - - -	—	—
Barley, Pearled - - - - the Cwt.	0 5 0	0 2 6
Barwood - - - -	Free.	Free.
Basket Rods, peeled and unpeeled - - - -	—	—
Baskets - - - - for every 100℥. Value	10 0 0	10 0 0
Bast Ropes, Twines, and Strands - the Cwt.	0 5 0	0 2 6
Beads, <i>viz.</i>		
— Arango - - for every 100℥. of the Value	15 0 0	15 0 0
— Coral - - for every 100℥. of the Value	15 0 0	15 0 0
— Crystal - - - the 1,000	0 5 0	0 5 0
— Jet - - for every 100℥. of the Value	15 0 0	15 0 0
— not otherwise enumerated or described, for every 100℥. of the Value	15 0 0	15 0 0
Beans, Kidney and French - - - -	Free.	Free.
Beef, salted (not being corned Beef) - the Cwt.	0 8 0	0 2 0
— fresh, or slightly salted - the Cwt.	0 8 0	0 2 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Beef Wood - - - - -	Free.			Free.		
Beer or Mum - - - - - the Barrel	2	0	0	2	0	0
— Spruce - - - - - the Barrel	1	0	0	1	0	0
Berries, unenumerated - - - - -	Free.			Free.		
Birds, <i>viz.</i> , Singing Birds - - - - -	—			—		
Bitumen Judaicum - - - - -	—			—		
Blacking - - - - - the Cwt.	1	0	0	1	0	0
Black Wood - - - - -	Free.			Free.		
Bladders - - - - -	—			—		
Bones of Cattle and other Animals, and of Fish (except Whale Fins), whether burnt or not, or as Animal Charcoal - - - - -	—			—		
Books, <i>viz.</i> (1) — being of Editions printed prior to the Year 1801, bound or unbound - the Cwt.	1	0	0	1	0	0
— being of Editions printed in or since the Year 1801, bound or unbound - the Cwt.	5	0	0	5	0	0
— being of Editions in the Foreign Living Languages, printed in or since the Year 1801, bound and unbound - the Cwt.	2	10	0	2	10	0
Boracic Acid - - - - -	Free.			Free.		
Borax, refined - - - - -	—			—		
Borax or Tincal, unrefined - - - - -	—			—		
Bottles, of Earth and Stone, empty - the Dozen	0	0	2	0	0	2
— full - - - - -	Free.			Free.		
— Flasks in which Olive Oil is imported -	—			—		
Boxes of all Sorts, excepting those made wholly or partly of Glass, on which the proper Glass Duty will be levied - - - for every 100 <i>l.</i> Value	10	0	0	5	0	0
Box Wood - - - - -	Free.			Free.		
Brass, Manufactures of - - - for every 100 <i>l.</i> Value	15	0	0	15	0	0
— Powder of - - - - - the lb.	0	0	6	0	0	6
Brazil Wood - - - - -	Free.			Free.		
Brazilleto Wood - - - - -	—			—		
Bricks or Clinkers (Dutch) - - - the 1,000	0	10	0	0	5	0
— other Sorts - - - - - the 1,000	0	15	0	0	7	6
Brimstone - - - - -	Free.			Free.		
— refined, in Rolls - - - - -	—			—		
— in Flour - - - - -	—			—		

(1) For what Books are prohibited, see Cap. 86. § 63.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Bristles, rough, or in any way sorted - - -	Free.	Free.
Brocade of Gold or Silver - for every 100 <i>l.</i> Value	20 0 0	20 0 0
Bronze, all Works of Art - - - - -	Free.	Free.
— other Manufactures of - for every 100 <i>l.</i> Value	15 0 0	15 0 0
— Powder - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Bullion and Foreign Coin, of Gold or Silver, and Ore of Gold or Silver, or of which the major Part in Value is Gold or Silver - - - - -	Free.	Free.
Bull Rushes - - - - -	—	—
Butter - - - - the Cwt.	1 0 0	0 5 0
Buttons (Metal) - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Cables (not being Iron Cables), tarred or untarred, the Cwt.	0 6 0	0 3 0
— not being Iron Cables, in actual Use of a British Ship, and being fit and necessary for such Ship, and not or until otherwise disposed of	Free.	Free.
— if and when otherwise disposed of, for every 100 <i>l.</i> Value	10 0 0	5 0 0
— old, and taken from Foreign Ships, provided the same be rendered unserviceable by Reduction into Lengths not exceeding Three Fathoms - - for every 100 <i>l.</i> Value	10 0 0	—
Camomile Flowers - - - - -	Free	Free.
Camphor, unrefined - - - - -	—	—
— refined (1) - - - - the Cwt.	0 5 0	0 5 0
Camwood - - - - -	Free.	Free.
Candles, <i>viz.</i>		
— Spermaceti - - - - the lb.	0 0 6	0 0 6
— Stearine - - - - the lb.	0 0 2½	0 0 2½
— Tallow - - - - the Cwt.	0 10 0	0 10 0
— Wax - - - - the lb.	0 0 4	0 0 4
Candlewick - - - - -	Free.	Free.
Canella, Alba - - - - -	—	—
Canes, <i>viz.</i>		
— Bamboo - - - - -	—	—
— Rattans, not ground - - - - -	—	—
— Reed Canes - - - - -	—	—
— Walking Canes or Sticks mounted, painted, or otherwise ornamented - for every 100 <i>l.</i> Value	20 0 0	20 0 0

(1) Not liable to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Canes or Sticks unenumerated - - -	Free.			Free.		
Cantharides - - - the lb.	0	0	3	0	0	3
Caoutchouc - - -	Free.			Free.		
Capers, including the Pickle - - the lb.	0	0	6	0	0	3
Cardamons - - -	Free.			Free.		
Cards, viz., Playing Cards - the Dozen Packs	4	0	0	4	0	0
Carminc - - - the oz.	0	0	6	0	0	6
Carriages of all Sorts - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Casks (empty) - - for every 100 <i>l.</i> Value	25	0	0	25	0	0
Cassava Powder - - - the Cwt.	0	5	0	0	1	0
Cassia, viz.						
— Buds - - -	Free.			Free.		
— Fistula - - -	—			—		
— Lignea - - - the lb.	0	0	3	0	0	1
Castor - - -	Free.			Free.		
Cast of Busts, Statues, or Figures - the Cwt.	0	2	6	0	2	6
Catlings - the Gross, containing 12 Dozen Knots	0	3	0	0	3	0
Caviare - - - the Cwt.	0	5	0	0	5	0
Cedar Wood - - -	Free.			Free.		
Chalk, viz.						
— unmanufactured - - -	—			—		
— prepared or manufactured, and not otherwise enumerated - for every 100 <i>l.</i> Value	10	0	0	5	0	0
Cheese - - - the Cwt.	0	10	6	0	2	6
Cherries, raw - - for every 100 <i>l.</i> Value	5	0	0	5	0	0
— dried - - - the lb.	0	0	6	0	0	6
Chicory, or any other vegetable Matter applicable to the Uses of Chicory or Coffee, viz.						
— roasted or ground - - the lb.	0	0	6	0	0	6
— raw or Kiln-dried - - the Cwt.	1	0	0	1	0	0
China Root - - -	Free.			Free.		
China or Porcelain Ware, plain - for every 100 <i>l.</i> Value	15	0	0	15	0	0
— painted, gilt, ornamented - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Chip or Willow for platting - - -	Free.			Free.		
Cider - - - the Tun	10	10	0	10	10	0
Cinnabaris Nativa - - -	Free.			Free.		
Cinnamon - - - the lb.	0	0	6	0	0	3
Citrat of Lime - - -	Free.			Free.		
Citric Acid - - -	—			—		
Citron, preserved with Salt - for every 100 <i>l.</i> Value	10	0	0	10	0	0
Civet - - -	Free.			Free.		

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Clocks - - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
— or Watches of any Metal, impressed with any Mark or Stamp appearing to be, or to represent any legal British Assay Mark or Stamp, or purporting, by any Mark or Appearance, to be of the Manufacture of the United Kingdom - - -	Prohibited.			Prohibited.		
Cloves - - - the lb.	0	0	6	0	0	6
Coals, Culm, or Cinders - - -	Free.			Free.		
Cobalt - - -	—			—		
— Ore - - -	—			—		
Cochineal and Granilla - - -	—			—		
— Dust - - -	—			—		
Cocoa - - - the lb.	0	0	2	0	0	1
— Husks and Shell - - - the lb.	0	0	1	0	0	0 $\frac{1}{2}$
— Paste, or Chocolate - - - the lb.	0	0	6	0	0	2
Coculus Indicus - - - the Cwt.	0	7	6	0	7	6
Coffee - - - the lb.	0	0	6	0	0	4
Coir Rope, Twine, and Strands - the Cwt.	0	2	6	0	1	3
— Rope and Junk, old and new, cut into Lengths not exceeding 3 Feet each - -	Free			Free.		
Colocynth - - -	—			—		
Columba Root - - -	—			—		
Comfits, dry - - - the lb.	0	0	6	0	0	3
Confectionery - - - the lb.	0	0	6	0	0	6
Copper, Ore of, <i>viz.</i>						
— containing not more than 15 Parts of Copper in 100 Parts of Ore - per Ton of Metal	3	0	0	1	0	0
— containing not more than 20 Parts of Copper in 100 Parts of Ore - per Ton of Metal	4	10	0	1	0	0
— containing more than 20 Parts of Copper in 100 Parts of Ore - per Ton of Metal	6	0	0	1	0	0
— old, fit only to be re-manufactured - the Cwt.	0	7	6	0	3	6
— unwrought, <i>viz.</i> , in Bricks or Pigs, Rose Copper, and all cast Copper - the Cwt.	0	8	9	0	4	0
— in part wrought, <i>viz.</i> , Bars, Rods, or Ingots, hammered or raised - the Cwt.	0	10	0	0	5	0
— in Plates and Copper Coin - the Cwt.	0	10	0	0	5	0
— Manufactures of Copper, not otherwise enumerated or described, and Copper Plates engraved - for every 100 <i>l.</i> Value	15	0	0	15	0	0
— Copper or Brass Wire - for every 100 <i>l.</i> Value	12	10	0	12	10	0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Copperas, Blue - - - - -	Free.			Free.		
— Green - - - - -	—			—		
— White - - - - -	—			—		
Coral, <i>viz.</i>						
— in Fragments - - - - -	—			—		
— whole, polished - - - - -	—			—		
— unpolished - - - - -	—			—		
Cordage, tarred or untarred (standing or running Rigging in use excepted) - the Cwt.	0	6	0	0	3	0
— in actual Use of a British Ship, and being fit and necessary for such Ship, and not or until otherwise disposed of - - -	Free.			Free.		
— if and when otherwise disposed of, for every 100 <i>l.</i> Value	5	0	0	2	10	0
Cork - - - - -	Free.			Free.		
Corks, ready made - - - - the lb.	0	0	8	0	0	8
— squared for rounding - - - the Cwt.	0	16	0	0	16	0
— Fishermen's - - - - the Cwt.	0	2	0	0	2	0
Cotton, Manufactures of - for every 100 <i>l.</i> Value	10	0	0	5	0	0
— Yarn - - - - -	Free.			Free.		
— Articles, or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty - - for every 100 <i>l.</i> Value	20	0	0	10	0	0
Cranberries - - - - the Gallon	0	0	1	0	0	1
Crayons - - - - for every 100 <i>l.</i> Value	15	0	0	15	0	0
Cream of Tartar - - - - -	Free.			Free.		
Crystal, <i>viz.</i>						
— rough - - - - -	—			—		
— cut or manufactured, except Beads, for every 100 <i>l.</i> Value	15	0	0	15	0	0
Cubebs - - - - -	Free.			Free.		
Cucumbers, <i>viz.</i> , preserved - for every 100 <i>l.</i> Value	10	0	0	5	0	0
Currants - - - - the Cwt.	0	15	0	0	15	0
Cutch - - - - -	Free.			Free.		
Dates - - - - the Cwt.	0	10	0	0	10	0
Diamonds - - - - -	Free.			Free.		
Dice - - - - the Pair	1	6	2	1	6	2
Divi Divi - - - - -	Free.			Free.		
Down - - - - -	—			—		
Drugs, not enumerated - - - - -	—			—		

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Earthenware, not otherwise enumerated or described, for every 100 <i>l.</i> Value	10	0	0	10	0	0
Ebony - - - - -	Free.			Free.		
Eggs - - - - - the 120	0	0	10	0	0	2½
Embroidery and Needlework - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Enamel - - - - - the lb.	0	2	0	0	2	0
Essences not otherwise described, <i>viz.</i>						
Extract of Cardamoms - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Coccus Indicus - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Guinea Grains of Paradise, for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Licorice - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Nux Vomica - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Opium - - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Guinea Pepper - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Peruvian or Jesuit's Bark, for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Quassia - - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Radix Rhataniæ - for every 100 <i>l.</i> Value	20	0	0	20	0	0
----- Vitriol - - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Extract or Preparation of any Article, not being particularly enumerated or described, nor otherwise charged with Duty - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Or, and in lieu of the above Duty, at the Option of the Importer - - - the lb.	0	5	0	0	5	0
Essence of Spruce - for every 100 <i>l.</i> Value	10	0	0	10	0	0
Feathers for Beds, in Beds or otherwise - - -	Free.			Free.		
----- Ostrich, dressed - - - the lb.	1	10	0	1	10	0
----- undressed - - - - -	Free.			Free.		
----- not otherwise enumerated or described, <i>viz.</i>						
----- dressed - - - for every 100 <i>l.</i> Value	10	0	0	10	0	0
----- undressed - - - - -	Free.			Free.		
----- Paddy Bird - - - the lb.	0	1	0	0	1	0
----- undressed - - - - -	Free.			Free.		
Figs - - - - - the Cwt.	0	15	0	0	15	0
Fish, <i>viz.</i>						
----- Eels - - - - - the Ship's Lading	13	0	0			
----- Lobsters - - - - -	Free.					
----- Turbots - - - - - the Cwt.	0	5	0			

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Fish— <i>continued.</i>						
— of Foreign taking, imported from Foreign Places in other than Fishing Vessels, <i>viz.</i>						
— Oysters - - - the Bushel	0	1	6			
— Salmon - - - the Cwt.	0	10	0			
— Soles - - - the Cwt.	0	5	0			
— Turtle - - - the Cwt.	0	5	0			
— Fresh, not otherwise enumerated - the Cwt.	0	1	0			
— Cured, not otherwise enumerated - the Cwt.	0	2	0			
— of British taking, fresh or cured - -	Free.			Free.		
Flasks in which Olive Oil is imported - -	Free.			Free.		
Flax and Tow or Codilla of Hemp or Flax, whether dressed or undressed - - -	—			—		
Flocks - - - - -	—			—		
Flower Roots - - - - -	—			—		
Flowers, Artificial, not made of Silk, for every 100 <i>l.</i> Value	25	0	0	25	0	0
Frames for Pictures, Prints, or Drawings, for every 100 <i>l.</i> Value	10	0	0	10	0	0
Fruit, <i>viz.</i> , raw, and not otherwise enumerated, for every 100 <i>l.</i> Value	5	0	0	5	0	0
Fustic - - - - -	Free.			Free.		
Gallic Powder - - - - -	—			—		
Galls - - - - -	—			—		
Gamboge - - - - -	—			—		
Garnets, cut, uncut, not set - - -	—			—		
Garancine - - - - -	—			—		
Gauze of Thread - - - for every 100 <i>l.</i> Value	15	0	0	7	10	0
Gelantine - - - - the Cwt.	0	10	0	0	10	0
Gentian - - - - -	Free.			Free.		
Ginger - - - - the Cwt.	0	10	0	0	5	0
— preserved - - - the lb.	0	0	6	0	0	1
Ginseng - - - - -	Free.			Free.		
Until the 10th Day of October 1846, the follow- ing Duties of Customs :—						
Glass, <i>viz.</i> (1)						
— any Kind of Window Glass, White or stained of One Colour only, not exceeding One						

(1) Glass of all Sorts not subject to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Glass — <i>continued.</i>		
Ninth of an Inch in Thickness, and Shades and Cylinders - - - the Cwt.	0 14 0	0 14 0
— all Glass exceeding One Ninth of an Inch in Thickness, all silvered or polished Glass of whatever Thickness, however small each Pane, Plate, or Sheet, superficial Measure, <i>viz.</i>		
— not exceeding more than Nine Square Feet, the Square Foot	0 1 0	0 1 0
— containing more than Nine Square Feet, and not more than Fourteen Square Feet, the Square Foot	0 2 0	0 2 0
— containing more than Fourteen Square Feet, and not more than Thirty-six Square Feet, the Square Foot	0 2 6	0 2 6
— containing more than Thirty six Square Feet, the Square Foot	0 3 0	0 3 0
— painted or otherwise ornamented, the Superficial Foot	0 3 0	0 3 0
— all White Flint Glass Bottles, not cut, engraved, or otherwise ornamented, and Beads and Bugles of Glass - - - the lb.	0 0 2	0 0 2
— Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented - - - the lb.	0 0 4	0 0 4
— all Flint Cut Glass, Flint coloured Glass, and fancy ornamental Glass, of whatever Kind, the lb.	0 0 8	0 0 8
— Bottles of Glass covered with Wicker (not being Flint or Cut Glass), or of Green or Common Glass - - - the Cwt.	0 3 0	0 3 0
— Manufactures, not otherwise enumerated or described, and old broken Glass, fit only to be remanufactured - - - the Cwt.	0 14 0	0 14 0

And from and after the 10th Day of October 1846, until the 5th Day of April 1848, there shall be charged on the said Article One Half of the said Duties ; and from and after the 5th Day of April 1848, One Fourth of the said Duties.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Glue - - - - - the Cwt.	0	3	0	0	3	0
— Clippings or Waste of any Kind, fit only for Glue - - - - -	Free.			Free.		
Gold, Leaves of - - - - - the 100	0	3	0	0	3	0
Grains, Guinea and Paradise - - - the Cwt.	0	15	0	0	15	0
Grapes - - - - - for every 100 <i>l.</i> Value	5	0	0	5	0	0
Grease - - - - -	Free.			Free.		
Greaves, for Dogs - - - - -	—			—		
— Tallow - - - - -	—			—		
Guano - - - - -	—			—		
Gum, unenumerated - - - - -	—			—		
Gunpowder - - - - - the Cwt.	1	0	0	1	0	0
Gun Stocks in the rough, of Wood - - -	Free.			Free.		
Gypsum - - - - -	—			—		
<i>Hair, viz.</i>						
— Camel's Hair or Wool - - - - -	—			—		
— Cow, Ox, Bull, or Elk Hair - - - - -	—			—		
— Goat's Hair or Wool - - - - -	—			—		
— Horse Hair - - - - -	—			—		
— Human - - - - -	—			—		
— Unenumerated - - - - -	—			—		
— Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, and Articles of such Manufacture wholly or in part made up, not particularly enumerated or otherwise charged with Duty, for every 100 <i>l.</i> Value	15	0	0	7	10	0
Hams of all Kinds - - - - - the Cwt	0	14	0	0	3	6
Harp Strings, or Lute Strings silvered, for every 100 <i>l.</i> Value	20	0	0	20	0	0
<i>Hats or Bonnets, viz.</i>						
— of Chip - - - - - the lb.	0	5	0	0	5	0
— Bast, Cane, or Horse-hair Hats or Bonnets, each Hat or Bonnet not exceeding 22 Inches in Diameter, the Dozen	0	10	0	0	10	0
— each Hat or Bonnet exceeding 22 Inches in Diameter - the Dozen	0	15	0	0	15	0
— Straw Hats or Bonnets - the lb.	0	8	6	0	8	6

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Hats, Felt, Hair, Wool, or Beaver Hats - each	0 2 6	0 2 6
— made of Silk, Silk Shag laid upon Felt, Linen, or other Material - - - each	0 3 6	0 3 6
Hay - - - - the Load	0 16 0	0 8 0
Heath, for Brushes - - - -	Free.	Free.
Hellebore - - - -	—	—
Hemp, dressed - - - -	—	—
— rough or undressed, or any other Vegetable Substance of the Nature and Quality of undressed Hemp, and applicable to the same Purpose - - - -	—	—
Hides, not tanned, tawed, curried, or in any way dressed, dry and wet - - -	—	—
— tawed, curried, or in any way dressed, not being varnished, japanned, or enamelled, the lb.	0 0 4	0 0 2
— if varnished, japanned, or enamelled - the lb.	0 0 6	0 0 3
— Losh Hides - - - -	Free.	Free.
— Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed - - - the lb.	0 0 4	0 0 2
— Hides or Pieces thereof, raw or undressed, unenumerated - - - -	Free.	Free.
— tawed, curried, or in any way dressed, not otherwise enume- rated - - - for every 100 <i>l.</i> Value	10 0 0	5 0 0
— Tails, Buffalo, Bull, Cow, or Ox - -	Free.	Free.
Hides tanned, not otherwise dressed - -	—	—
Hones - - - -	—	—
Honey - - - - the Cwt.	0 10 0	0 5 0
Hoofs of Cattle - - - -	Free.	Free.
Hoops of Wood - - - -	—	—
Hops - - - - the Cwt.	4 10 0	4 10 0
Horns, Horn Tips, and Pieces of Horn - -	Free.	Free.
Indigo - - - -	—	—
Ink, for Printers - - - - the Cwt.	0 10 0	0 10 0
Inkle, unwrought - - - -	Free.	Free.
— wrought - - - - the lb.	0 1 0	0 0 6
Iron, Ore of - - - -	Free.	Free.
— Pig - - - -	—	—
— Bars, unwrought - - - -	—	—

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Iron— <i>continued.</i>						
— old broken and cast Iron - - - - -	—			—		
— and Steel, wrought, not otherwise enumerated, for every 100 <i>l.</i> Value	15	0	0	15	0	0
— Bloom - - - - -	Free.			Free.		
— Chromate of - - - - -	—			—		
— slit or hammered into Rods - - - - -	—			—		
— Cast - - - - -	—			—		
— Hoops - - - - -	—			—		
Isinglass (1) - - - - - the Cwt.	0	5	0	0	5	0
Jalap - - - - -	Free.			Free.		
Japanned or Lacquered Ware - for every 100 <i>l.</i> Value	15	0	0	15	0	0
Jet - - - - -	Free.			Free.		
Jewels, Emeralds, and all other precious Stones, <i>viz.</i>						
— unset - - - - -	—			—		
— set - - - - - for every 100 <i>l.</i> Value	10	0	0	10	0	0
Juice of Lemons, Limes, or Oranges - - - - -	Free.			Free.		
Kingwood - - - - -	—			—		
Kernels of Walnuts and Kernels of Peach Stones, commonly used for expressing Oil therefrom - - - - -	—			—		
Lae, <i>viz.</i> , Stick Lac - - - - -	—			—		
Lace, <i>viz.</i>						
— Thread - - - - - for every 100 <i>l.</i> Value	12	10	0	12	10	0
— made by the Hand, commonly called Cushion or Pillow Lace, whether of Linen, Cotton, or Silken Thread - for every 100 <i>l.</i> Value	12	10	0	12	10	0
Lamp Black - - - - - the Cwt.	1	0	0	1	0	0
Lapis Calammaris - - - - -	Free.			Free.		
Lard - - - - -	—			—		
Latten - - - - -	—			—		
— Shaven - - - - -	—			—		
— Wire - - - - - for every 100 <i>l.</i> Value	12	10	0	12	10	0
Lavender Flowers - - - - -	Free.			Free.		
Lead, Ore of - - - - -	—			—		
— Black - - - - -	—			—		
— Pig and Sheet - - - - - the Ton	1	0	0	0	5	0

(1) This article is not liable to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Lead— <i>continued.</i>		
— Red - - - - -	Free.	Free.
— White - - - - -	—	—
— Chromate of - - - - -	—	—
— Manufactures of, not otherwise enumerated, for every 100 <i>l.</i> Value	15 0 0	15 0 0
Leather Manufactures, <i>viz.</i>		
Boots, Shoes, and Calashes, <i>viz.</i>		
— Women's Boots and Calashes - the Dozen Pairs	0 12 0	0 12 0
— — if lined or trimmed with Fur or other Trimming - the Dozen Pairs	0 15 0	0 15 0
— — Shoes with Cork or double Soles, quilted Shoes and Clogs, the Dozen Pairs	0 10 0	0 10 0
— — if trimmed or lined with Fur or any other Trimming - the Dozen Pairs	0 12 0	0 12 0
— Women's Shoes of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather - the Dozen Pairs	0 9 0	0 9 0
— — if trimmed or lined with Fur or any other Trimming - the Dozen Pairs	0 10 0	0 10 0
— Girls Boots, Shoes, and Calashes, not exceed- ing Seven Inches in Length, to be charged with Two Thirds of the above Duties.		
— Men's Boots - - - the Dozen Pairs	1 8 0	1 8 0
— — Shoes - - - the Dozen Pairs	0 14 0	0 14 0
— Boys Boots and Shoes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.		
— Boot Fronts, not exceeding Nine Inches in Height - - - the Dozen Pairs	0 3 6	0 3 6
— — exceeding Nine Inches in Height, the Dozen Pairs	0 5 6	0 5 6
— Cut into Shapes, or any Article made of Lea- ther, or any Manufacture whereof Leather is the most valuable Part, not otherwise enu- merated or described - for every 100 <i>l.</i> Value	15 0 0	15 0 0
— Gloves of Leather, <i>viz.</i>		
— Habit Mitts - - - the Dozen Pairs	0 2 4	0 2 4
— — Gloves - - - the Dozen Pairs	0 3 6	0 3 6
— Men's Gloves - - - the Dozen Pairs	0 3 6	0 3 6
— Women's Gloves or Mitts the Dozen Pairs	0 4 6	0 4 6

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Leaves of Roses - - - - -	Free.	Free.
Leeches - - - - -	—	—
Lentils - - - - -	—	—
Lignum Vitæ - - - - -	—	—
Linen, or Linen and Cotton, <i>viz.</i> ——— Cambrics and Lawns, commonly called French Lawns, the Piece not exceeding Eight Yards in Length, and not exceeding Seven Eighths of a Yard in Breadth, and so in proportion for any greater or less Quantity.		
——— Plain - - - - - the Piece	0 5 0	0 5 0
——— Bordered Handkerchiefs - - - the Piece	0 5 0	0 5 0
——— Lawns of any Sort, not French, for every 100 <i>l.</i> Value	15 0 0	15 0 0
——— Damasks - - - - - the Square Yard	0 0 10	0 0 10
——— Damask Diaper - - - the Square Yard	0 0 5	0 0 5
——— Plain Linens and Diaper, not otherwise enumerated or described, and whether che- quered or striped with Dye Yarn or not, for every 100 <i>l.</i> Value	15 0 0	15 0 0
——— Sails - - - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
——— in actual Use of a British Ship, and fit and necessary for such Ship, and not otherwise disposed of - - -	Free.	Free.
——— Sails, if and when otherwise disposed of, for every 100 <i>l.</i> Value	15 0 0	15 0 0
——— Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty for every 100 <i>l.</i> Value	15 0 0	15 0 0
Liquorice Roots - - - - - the Cwt.	1 0 0	0 10 0
——— Paste - - - - - the Cwt.	1 0 0	0 10 0
——— Juice - - - - - the Cwt.	1 7 6	0 10 0
——— Powder - - - - - the Cwt.	1 15 0	0 15 0
Litharge - - - - -	Free.	Free.
Live Creatures illustrative of Natural History - - -	—	—
Logwood - - - - -	—	—
Maccaroni and Vermicelli - - - - - the lb.	0 0 1	0 0 1
Mace - - - - - the lb.	0 2 6	0 2 6

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Madder - - - - -	Free.	Free.
—— Root - - - - -	—	—
Magna Græcia Ware - - for every 100 <i>l.</i> Value	5 0 0	5 0 0
Mahogany - - - - -	Free.	Free.
Manganese Ore - - - - -	—	—
Manna - - - - -	—	—
Manures not enumerated - - - - -	—	—
Manuscripts - - - - - the lb.	0 0 2	0 0 2
Maps or Charts, or Parts thereof, plain or coloured, each	0 0 1	0 0 1
Maple Wood - - - - -	Free.	Free.
Marmalade - - - - - the lb.	0 0 6	0 0 1
Mats and Matting - - - for every 100 <i>l.</i> Value	5 0 0	2 10 0
Mattresses - - - - - for every 100 <i>l.</i> Value	10 0 0	10 0 0
Mead - - - - - the Gallon	0 5 6	0 5 6
Meat, salted or fresh, not otherwise described, the Cwt.	0 8 0	0 2 0
Medals of Gold or Silver - - - - -	Free.	Free.
—— of any Sort - - for every 100 <i>l.</i> Value	5 0 0	5 0 0
Medlars - - - - - the Bushel	0 1 0	0 0 6
Mercury, prepared - - - for every 100 <i>l.</i> Value	10 0 0	10 0 0
Metal, <i>viz.</i>		
—— Bell - - - - -	Free.	Free.
—— Leaf (except Leaf Gold), the Packet containing 250 Leaves	0 0 1	0 0 1
Mill Boards - - - - - the Cwt.	1 10 0	1 10 0
Minerals and Fossils, unenumerated - - -	Free.	Free.
Models of Cork or Wood - - - - -	—	—
Morphia, and its Salts - - - - - the lb.	0 5 0	0 5 0
Moss, <i>viz.</i>		
—— Lichen Islandicus - - - - -	Free.	Free.
—— Rock, for Dyers Use - - - - -	—	—
—— other than Rock or Iceland Moss - - -	—	—
Mother-o'-Pearl Shells - - - - -	—	—
Musical Instruments - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Musk - - - - -	Free.	Free.
Mustard Flour - - - - - the Cwt.	0 12 0	0 12 0
Myrobolane Berries - - - - -	Free.	Free.
Myrrh - - - - -	—	—
Nicaragua Wood - - - - -	—	—
Nitre, <i>viz.</i> , Cubic Nitre - - - - -	—	—

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Nickel, Ore of - - - - -	Free.	Free.
— Metallic and Oxide of, refined - - -	—	—
— Arseniate of, in Lumps or Powder, being in an unrefined State - - - - -	—	—
Nutmegs - - - - - the lb.	0 3 6	0 2 6
— wild, in the Shell - - - - - the lb.	0 0 3	0 0 3
Nuts, <i>viz.</i>		
— Chesnuts - - - - -	Free.	Free.
— Coco Nuts - - - - -	—	—
— Pistachio Nuts - - - - -	—	—
— Small Nuts - - - - - the Bushel	0 2 0	0 2 0
— Walnuts - - - - - the Bushel	0 2 0	0 2 0
— Nuts and Kernals unenumerated - - -	Free.	Free.
— Nuts and Kernals of Walnuts, of Peach Stones, and all Nuts and Kernals unenumerated, commonly used for expressing Oil therefrom	—	—
Nux Vomica - - - - - the Cwt.	0 5 0	0 5 0
Oakum - - - - -	Free.	Free.
Ochre - - - - -	—	—
Oil of Almonds - - - - - the lb.	0 0 2	0 0 2
— Bays - - - - - the lb.	0 0 2	0 0 2
— Animal - - - - -	Free.	Free.
— Castor - - - - -	—	—
— Chemical, Essential, or Perfumed (1) - the lb.	0 1 0	0 1 0
— of Cloves (2) - - - - - the lb.	0 3 0	0 3 0
— Lard - - - - -	Free.	Free.
— Cocoa Nut - - - - -	—	—
— Linseed - - - - -	—	—
— Hempseed and Rapeseed - - - - -	—	—
— Olive - - - - -	—	—
— Palm - - - - -	—	—
— Paran - - - - -	—	—
— Rock - - - - -	—	—
— Seed, unenumerated - - - - -	—	—
— Train, Blubber, and Spermaceti, Oil and Head Matter, the Produce of Fish or Creatures living in the Sea, caught by the Crews of British Ves- sels, and imported direct from the Fishery, or from any British Possession, in a British Vessel	—	—

(1) Not liable to the additional 5*l.* per Cent. See § 4.(2) Not liable to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Oil— <i>continued.</i>		
— Train and Blubber, the Produce of Fish or Creatures living in the Sea, of Foreign fishing, the Tun	6 0 0	
— Train Oil or Blubber of Foreign fishing, from and after 1st January 1847 - - -	Free.	—
— Spermaceti of Foreign fishing - - the Tun	15 0 0	
— - - - - from and after 1st January 1849 - - -	Free.	—
— Walnut - - - - -	—	—
— or Spirit of Turpentine - - - the Cwt.	0 5 0	0 2 6
— not particularly enumerated or described, nor otherwise charged with Duty - - -	Free.	Free.
— Seed Cake - - - - -	—	—
Olibanum - - - - -	—	—
Olives - - - - - the Gallon	0 2 0	0 2 0
Olive Wood - - - - -	Free.	Free.
Onions - - - - - the Bushel	0 0 6	0 0 3
Opium - - - - - the lb.	0 1 0	0 1 0
Orange Flower Water - - - the lb.	0 0 1	0 0 1
Oranges and Lemons, <i>viz.</i>		
— in Chests and Boxes not exceeding 5,000 Cubic Inches - - - the Box	0 2 6	0 2 6
— over 5,000 Cubic Inches, and not exceeding 7,300 - - - the Box	0 3 9	0 3 9
— over 7,300 Cubic Inches, and not exceed- ing 14,000 - - - the Box	0 7 6	0 7 6
— for every 1,000 Cubic Inches exceeding 14,000 - - -	0 0 7½	0 0 7½
— loose - - - the 1,000	0 15 0	0 15 0
— entered at Value, at the Option of the Importer - - for every 100l. Value	75 0 0	75 0 0
— — — — — Peel - - -	Free.	Free.
Orchal - - - - -	—	—
Ore, unenumerated - - - - -	—	—
Orpiment - - - - -	—	—
Orris Root - - - - -	—	—
Orsedew - - - - - the Cwt.	0 10 0	0 10 0
Painters' Colours, unenumerated.		
— — — — — unmanufactured - - -	Free.	Free.
— — — — — manufactured,		
— — — — — for every 100l. Value	10 0 0	10 0 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
Palmetto Thatch - - - - -	£ s. d. Free.	£ s. d. Free.
Manufactures of Ditto, for every 100 <i>l.</i> Value	- -	5 0 0
Paper, <i>viz.</i>		
——— Brown, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Material therewith - the lb.	0 0 3	0 0 3
——— printed, painted, or stained Paper, or Paper Hangings, or Flock Paper,		
the Square Yard	0 1 0	0 1 0
——— Waste, unless printed on in the English Language, or Paper of any other Sort, not particularly enumerated or described, nor otherwise charged with Duty - the lb.	0 0 4½	0 0 4½
——— printed on in the English Language -	Prohibited.	Prohibited.
Parchment - - - the Dozen Sheets	0 6 0	0 6 0
Pasteboards - - - the Cwt.	1 10 0	1 10 0
Pearls - - - - -	Free.	Free.
Pears, raw - - - the Bushel	0 0 6	0 0 3
——— dried - - - the Bushel	0 2 0	0 2 0
Pencils - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
——— of Slate - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Pens - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Pepper of all Sorts - - - the lb.	0 0 6	0 0 6
Percussion Caps - - - the 1,000	0 0 4	0 0 4
Perfumery not otherwise charged, for every 100 <i>l.</i> Value	20 0 0	20 0 0
Perry - - - the Tun	10 10 0	10 10 0
Pewter, Manufactures of - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Phosphorus - - - for every 100 <i>l.</i> Value	10 0 0	10 0 0
Pickles preserved in Vinegar (1) - the Gallon	0 0 4	0 0 4
——— or Vegetables preserved in Salt, (2) for every 100 <i>l.</i> Value	5 0 0	5 0 0
Pictures - - - each	0 1 0	0 1 0
——— and further - - the Square Foot	0 1 0	0 1 0
——— above 200 Square Feet - each	10 0 0	10 0 0
Pimento - - - the Cwt.	0 5 0	0 5 0
Pink Root - - - - -	Free.	Free.

(1) Not liable to the additional 5*l.* per Cent. See § 4.(2) Not liable to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
Pitch - - - - -	Free.	Free.
— Burgundy - - - - -	—	—
Plantains - - - - - the Cwt.	0 0 2	0 0 2
Plants, Shrubs, and Trees, alive - - -	Free.	Free.
Plaster of Paris - - - - -	—	—
Plate of Gold - - - for every 100 <i>l.</i> Value	10 0 0 together with the Stamp Duty.	10 0 0 together with the Stamp Duty.
— Silver gilt and ungilt - - for every 100 <i>l.</i> Value	10 0 0 together with the Stamp Duty.	10 0 0 together with the Stamp Duty.
Plate, battered - - - - -	Free.	Free.
— Wire, gilt or plated - - for every 100 <i>l.</i> Value	12 10 0	12 10 0
— Silver - - - for every 100 <i>l.</i> Value	12 10 0	12 10 0
Platina, and Ore of - - - - -	Free.	Free.
Platting, or other Manufactures to be used in, or proper for making Hats or Bonnets, <i>viz.</i>		
— of Bast, Cane, or Horse Hair - the lb.	0 10 0	0 10 0
— of Chip - - - - -	Free.	Free.
Platting of Straw - - - - - the lb.	0 7 6	0 7 6
Plums, dried or preserved - - - the Cwt.	1 7 6	1 7 6
— commonly called French Plums and Prunelloes, the Cwt.	1 0 0	1 0 0
— preserved in Sugar - - - the lb.	0 0 6	0 0 6
Pomatum - - - for every 100 <i>l.</i> Value	20 0 0	20 0 0
Pomegranates - - - - - the 1,000	0 5 0	0 5 0
— Peel of - - - - -	Free.	Free.
Pork, salted (not Hams) - - - the Cwt.	0 8 0	0 2 0
— Fresh - - - - - the Cwt.	0 8 0	0 2 0
Potatoes - - - - - the Cwt.	0 0 2	0 0 1
Pots, <i>viz.</i>		
— Melting, for Goldsmiths - - - the 100	0 3 2	0 3 2
— of Stone - - - for every 100 <i>l.</i> Value	20 0 0	20 0 0
Powder, <i>viz.</i>		
— Hair - - - - - the Cwt.	1 0 0	1 0 0
— Perfumed - - - - - the Cwt.	1 0 0	1 0 0
— not otherwise enumerated or described, that will serve for the same Use as Starch - the Cwt.	0 10 0	0 10 0
Poultry, alive or dead - - for every 100 <i>l.</i> Value	5 0 0	2 10 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Prints and Drawings, plain or coloured, single - each	0	0	1	0	0	1
bound or sewn - the Dozen	0	0	3	0	0	3
Prunes - - - - - the Cwt.	0	7	0	0	7	0
Prussiate of Potash - - - - -	Free.			Free.		
Puddings and Sausages - - - the lb.	0	0	3	0	0	1
Quassia - - - - - the Cwt.	0	10	0	0	10	0
Quicksilver - - - - -	Free.			Free.		
Quills, viz.						
Goose - - - - -	—			—		
Swan - - - - -	—			—		
Quinces - - - - - the 1,000	0	1	0	0	1	0
Quinine, Sulphate of - - - the oz.	0	0	6	0	0	6
Radix, viz.						
Contrayervæ - - - - -	Free.			Free.		
Enulæ Companæ - - - - -	—			—		
Eringii - - - - -	—			—		
Ipecacuanhæ - - - - -	—			—		
Rhatanîæ - - - - -	—			—		
Senekæ - - - - -	—			—		
Serpentariæ, or Snake Root - - -	—			—		
Rags, viz.						
old Rags, old Junk or Ropes, or old Fishing Nets, fit only for making Paper or Paste- board - - - - -	—			—		
Pulps of Rags - - - - -	—			—		
old Woollen - - - - -	—			—		
Raisins - - - - - the Cwt.	0	15	0	0	7	6
Rape of Grapes - - - - -	Free.			Free.		
Red Wood or Guinea Wood - - -	—			—		
Rhubarb - - - - -	—			—		
Rice, viz.						
not rough nor in the Husk - - - the Cwt.	0	6	0	0	0	6
rough and in the Husk - - - the Quarter	0	7	0	0	0	1
Rosewood - - - - -	Free.			Free.		
Rosin - - - - -	—			—		
Saccharum Saturni - - - - - the Cwt.	0	10	0	0	10	0
Safflower - - - - -	Free.			Free.		

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Saffron - - - - -	Free.	Free.
Sago - - - - - the Cwt.	0 1 0	0 1 0
Sal, viz.		
--- Ammoniac - - - - -	Free.	Free.
--- Limonum - - - - -	—	—
--- Prunelle - - - - -	—	—
Salep or Salop - - - - -	—	—
Salt - - - - -	—	—
Saltpetre - - - - -	—	—
Sanguis Draconis - - - - -	—	—
Santa Maria Wood - - - - -	—	—
Sapan Wood - - - - -	—	—
Sarsaparilla - - - - -	—	—
Sassafras - - - - -	—	—
Satin Wood - - - - -	—	—
Saunders, Red; White, or Yellow - - - - -	—	—
Sausages or Puddings - - - - - the lb.	0 0 3	0 0 1
Scaleboards - - - - - the Cwt.	1 10 0	1 10 0
Scammony - - - - -	Free.	Free.
Seeds, viz.		
--- Acorns - - - - -	—	—
--- Anniseed - - - - -	—	—
--- Burnet - - - - -	—	—
--- Canary - - - - - the Bushel	0 4 0	0 2 0
--- Carraway - - - - - the Cwt.	0 10 0	0 5 0
--- Carrot - - - - - the Cwt.	0 10 0	0 5 0
--- Clover - - - - - the Cwt.	0 10 0	0 5 0
--- Colchicum - - - - -	Free.	Free.
--- Cole - - - - -	—	—
--- Coriander - - - - -	—	—
--- Croton - - - - -	—	—
--- Cummin - - - - -	—	—
--- Fennugreek - - - - -	—	—
--- Flax - - - - -	—	—
--- Forest - - - - -	—	—
--- Garden, unenumerated, nor otherwise charged with Duty - - - - -	—	—
--- Grass, of all Sorts, not particularly enume- rated, or otherwise charged with Duty, the Cwt.	0 5 0	0 2 6

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Seeds— <i>continued.</i>		
— Hemp - - - - -	Free.	Free.
— Leek - - - - - the Cwt.	1 0 0	0 10 0
— Lettuce - - - - -	Free.	Free.
— Linseed - - - - -	—	—
— Lucerne - - - - - the Cwt.	0 5 0	0 5 0
— Lupines - - - - -	Free.	Free.
— Maw - - - - -	—	—
— Millet - - - - -	—	—
— Mustard - - - - - the Bushel	0 1 3	0 0 6
— Onion - - - - - the Cwt.	1 0 0	0 10 0
— Parsley - - - - -	Free.	Free.
— Poppy - - - - -	—	—
— Quince - - - - -	—	—
— Rape - - - - -	—	—
— Sesamum - - - - -	—	—
— Shrub or Tree - - - - -	—	—
— Tares - - - - -	—	—
— Trefoil - - - - - the Cwt.	0 5 0	0 2 6
— Worm - - - - -	Free.	Free.
— All Seeds unenumerated, commonly used for expressing Oil therefrom - - -	—	—
— All other Seeds not particularly enumerated or described, nor otherwise charged with Duty - - - for every 100 <i>l.</i> Value	10 0 0	5 0 0
Senna - - - - -	Free.	Free.
Ships to be broken up with their Tackle, Apparel, and Furniture (except Sails), <i>viz.</i>		
— Foreign Ships or Vessels, for every 100 <i>l.</i> Value	25 0 0	25 0 0
— Foreign Ships broken up, for every 100 <i>l.</i> Value	10 0 0	10 0 0
— British Ships or Vessels entitled to be regis- tered as such, and not having been built in the United Kingdom - - -	Free.	Free.
Shumac - - - - -	—	—
Silk, <i>viz.</i>		
— Knubs or Husks of Silk, and Waste Silk -	—	—
— Raw Silk - - - - -	—	—

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Silk— <i>continued.</i>						
— Thrown Silk, not dyed - - -	Free.			Free.		
— — dyed, <i>viz.</i>						
— — Singles or Tram - - the lb.	0	2	0	0	1	0
— — Organzine or Crape Silk - the lb.	0	2	0	0	1	0
— Manufactures of Silk, or of Silk mixed with any other Material, the Produce of Eu- rope, <i>viz.</i> Silk or Satin, plain - the lb.	0	11	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	25	0	0			
— Silk, figured or brocaded - - the lb.	0	15	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Gauze, plain - - - the lb.	0	17	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Gauze, figured or brocaded - the lb.	1	7	6			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Crape, plain - - - the lb.	0	16	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Crape, figured - - - the lb.	0	18	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Velvet, plain - - - the lb.	1	2	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Velvet, figured - - - the lb.	1	7	6			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— Ribbons embossed or figured with Velvet, the lb.	0	17	0			
— — or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	30	0	0			
— and further, if mixed with Gold, Silver, or other Metals, in addition to the above Rates, when the Duty is not charged according to the Value - - the lb.	0	10	0			

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.					
	Of or from Foreign Countries.			Of and from British Possessions.		
	£	s.	d.	£	s.	d.
Silk— <i>continued.</i>						
— Fancy Silk Net, or Tricot - - the lb.	1	4	0			
— Plain Silk Lace or Net, called Tulle, the Square Yard	0	1	4			
— Manufactures of Silk, or of Silk mixed with any other Material, not particularly enume- rated or otherwise charged with Duty, for every 100 <i>l.</i> Value	30	0	0	5	0	0
— Millinery of Silk, or of which the greater Part of the Material is of Silk, <i>viz.</i>						
— Turbans or Caps - - - each	0	15	0	0	15	0
— Hats or Bonnets - - - each	1	5	0	1	5	0
— Dresses - - - - each	2	10	0	2	10	0
— or, and at the Option of the Officers of the Customs - for every 100 <i>l.</i> Value	40	0	0	40	0	0
— Manufactures of Silk, or of Silk and any other Material and Articles of the same, wholly or in part made up, not particularly enume- rated or otherwise charged with Duty, for every 100 <i>l.</i> Value	30	0	0	30	0	0
Silkworm Gut - - - for every 100 <i>l.</i> Value	20	0	0	20	0	0
Skins, Furs, Pelts, and Tails, or Pieces of Skins, raw or undressed, unenumerated - -	Free.			Free.		
Skins, Furs, Pelts, and Tails, or Pieces of Skin, tanned, curried, dressed, unenumerated - -	—			—		
— Articles manufactured of Skins or Furs, for every 100 <i>l.</i> Value	20	0	0	10	0	0
Smalts (1) - - - - the Cwt.	0	10	0	0	10	0
Soap, Hard - - - - the Cwt.	1	10	0	1	0	0
— Soft - - - - the Cwt.	1	0	0	0	15	0
— Naples - - - - the Cwt.	2	16	0	2	16	0
Spa Ware - - - for every 100 <i>l.</i> Value	15	0	0	15	0	0
Specimens of Minerals or Fossils, and all Specimens illustrative of Natural History - - -	Free.			Free.		
Speckled Wood - - - - -	—			—		

(1) Not liable to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Spelter or Zinc, <i>viz.</i>		
— crude, in Cakes - - -	Free.	Free.
— rolled, but not otherwise manufactured -	—	—
— Manufactures of - for every 100 <i>l.</i> Value	10 0 0	10 0 0
Spermaceti, fine - - - for every 100 <i>l.</i> Value	25 0 0	25 0 0
— from and after 1st January 1849 -	Free.	Free.
Spirits or strong Waters of all Sorts, <i>viz.</i>		
— For every Gallon of such Spirits or strong Waters of any Strength not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, <i>viz.</i>		
— not being Spirits or strong Waters the Produce of any British Possession in America, or any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer - - - the Gallon	1 2 6	1 2 6
— Spirits or strong Waters, the Produce of any British Possession in America, not being sweetened Spirits, or Spirits so mixed as aforesaid - - - the Gallon	- -	0 9 0
— Rum, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled - - - the Gallon	- -	0 9 0
— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, or the Produce of and imported from any British Possession in America - - - the Gallon	- -	0 9 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Spirits— <i>continued.</i>		
—— Spirits or strong Waters, the Produce of any British Possession within the Limits of the East India Company's Charter, except Rum, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, not being sweetened Spirits or Spirits so mixed as aforesaid - - - the Gallon	- -	0 15 0
—— Spirits, Cordials, or strong Waters, not being the Produce of any British Possession in America, nor any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, sweetened or mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by Sykes's Hydrometer, and perfumed Spirits to be used as Perfumery only - the Gallon	1 10 0	1 10 0
—— strong Waters, except Rum Shrub, being the Produce of any British Possession in America, or of any British Possession qualified as aforesaid, sweetened or mixed with any Article as aforesaid - the Gallon	- -	1 0 0
—— Cordials and Liqueurs, except Rum Shrub, being the Produce of any British Possession in America, or of any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, sweetened or mixed with any Article, so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer, the Gallon	- -	0 9 0
Sponge - - - - -	Free.	Free.
Squills, dried and not dried - - -	—	—
Starch - - - - the Cwt.	0 10 0	0 5 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Starch, Gum of, torrifed or calcined, commonly called British Gum - - the Cwt.	0 15 0	0 15 0
Stavesacre - - - - -	Free.	Free.
Steel, Manufactures of - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
— unwrought - - - - -	Free.	Free.
Serap Steel - - - - -	—	—
Stones, in Lumps not in any Manner hewn, Slate and Marble in rough Blocks or Slabs, Limestone, Flint Stones, Felspar, and Stones for Potters Use, Pebble Stones, Stone to be used for the Purpose of Lithography - - - - -	Free.	Free.
— in Blocks, shaped or rough scalped - - -	—	—
— Stone and Slate, hewn - - the Ton	0 10 0	0 1 0
— Marble, sawn, in Slabs, or otherwise manufactured - - the Cwt.	0 3 0	0 1 6
Straw or Grass for platting - - -	Free.	Free.
Succades, including all Fruits and Vegetables preserved in Sugar - - the lb.	0 0 6	0 0 1
Sulphur Impressions - - -	Free.	Free.
— vivum. See Brimstone.		
Sweet Wood - - - - -	—	—
Talc - - - - -	—	—
Tallow - - - - the Cwt.	0 3 2	0 0 3
Tamarinds - - - the lb.	0 0 3	0 0 1
Tapioca - - - the Cwt.	0 1 0	0 1 0
Tar - - - - -	Free.	Free.
— Barbadoes - - - - -	—	—
Tarras - - - - -	—	—
Tartaric Acid - - - - -	—	—
Tea - - - the lb.	0 2 1	0 2 1
Teasles - - - - -	Free.	Free.
Teeth, viz., Elephant, Sea Cow, Sea Horse, or Sea Morse - - - - -	—	—
Telescopes - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Terra Japonica - - - - -	Free.	Free.
— Sienna - - - - -	—	—
— Umbra - - - - -	—	—
— Verde - - - - -	—	—
Thread, not otherwise enumerated or described, for every 100 <i>l.</i> Value	10 0 0	5 0 0
Tiles - - - - - for every 100 <i>l.</i> Value	10 0 0	5 0 0
Tin, Ore and Regulus of - - - - -	Free.	Free.
— in Blocks, Ingots, Bars, or Slabs - the Cwt.	0 6 0	0 3 0
— Manufactures of, not otherwise enumerated, for every 100 <i>l.</i> Value	15 0 0	15 0 0
— Foil - - - - - the lb.	0 0 6	0 0 6
Tincal, unrefined - - - - -	Free.	Free.
Tobacco, <i>viz.</i>		
— unmanufactured - - - the lb.	0 3 0	0 3 0
— Snuff - - - - - the lb.	0 6 0	0 6 0
— manufactured, or Cigars - - the lb.	0 9 0	0 9 0
— Stalks and Flour of - - - - -	Prohibited.	Prohibited.
— manufactured in the United Kingdom, at or within Two Miles of any Port into which Tobacco may be imported, made into Shag, Roll, or Carrot Tobacco, Draw- back upon Exportation or Shipment as Stores - - - - - the lb., 2 <i>s.</i> 7½ <i>d.</i>		
Tobacco Pipes of Clay - - - for every 100 <i>l.</i> Value	15 0 0	15 0 0
Tongues - - - - - the Cwt.	0 10 0	0 2 6
Tornsal - - - - -	Free.	Free.
Tortoiseshell or Turtle Shell, unmanufactured -	—	—
Toys, excepting Toy and Hand Mirrors, on which the Plate Glass Duty will be levied, for every 100 <i>l.</i> Value	10 0 0	10 0 0
Truffles - - - - - the lb.	0 1 0	0 1 0
Tulip Wood - - - - -	Free.	Free.
Turmeric - - - - -	—	—
Turnery, not otherwise described, for every 100 <i>l.</i> Value	15 0 0	15 0 0
Turpentine, <i>viz.</i> (1) — not being of greater Value than 15 <i>s.</i> per Cwt. - - - - -	Free.	Free.

(1) Not subject to the additional 5*l.* per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued*.

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Turpentine— <i>continued</i> .		
— above 15s. Value per Cwt. - the Cwt.	0 2 0	0 2 0
— of Venice, Scio, or Cyprus - -	Free.	Free.
Twine - - - - the Cwt.	0 10 0	0 5 0
Ultra Marine - - - -	Free.	Free.
Valonia - - - -	—	—
Vanelloes - - - - the lb.	0 5 0	0 5 0
Varnish, not otherwise described, for every 100l. Value	15 0 0	15 0 0
Vases, Ancient, not of Stone or Wood - -	Free.	Free.
Vegetables, viz., all Vegetables not enumerated or described - - for every 100l. Value	5 0 0	2 10 0
Vellum - - - - the Skin	0 1 0	0 1 0
Verdegris (1) - - - - the Cwt.	0 5 0	0 5 0
Verjuice - - - - the Tun	10 0 0	10 0 0
Vermillion - - - -	Free.	Free.
Vinegar - - - - the Tun	4 4 0	4 4 0
Wafers - - - - the lb.	0 0 3	0 0 3
Washing Balls - - - - the lb.	0 0 6	0 0 6
Walnut Wood - - - -	Free.	Free.
Watches of Gold, Silver, or other Metal, for every 100l. Value	10 0 0	10 0 0
Water, Cologne, the Flask (Thirty containing not more than One Gallon) - - -	0 1 0	0 1 0
— Mineral Water - - -	Free.	Free.
Wax, Bees Wax - - - -	—	—
— in any Degree bleached - - -	—	—
— Myrtle Wax - - - -	—	—
— Sealing Wax, - - for every 100l. Value	15 0 0	15 0 0
— Vegetable - - - -	Free.	Free.
Weld - - - -	—	—

(1) Not subject to the additional 5l. per Cent. See § 4.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
Whales Fins, British taking, and imported direct from the Fishery, or from any British Possession, in a British Ship - - - - -	Free.	Free.
— otherwise taken - for every 100 <i>l.</i> Value	20 0 0	20 0 0
— Foreign taking, and not prohibited, from and after 1st January 1847 -	Free.	Free.
Whipcord - - - - - the lb.	0 0 6	0 0 6
Wine, <i>viz.</i>		
— the Produce of the Cape of Good Hope or the Territories or Dependencies thereof, and im- ported directly from thence - the Gallon	- -	0 2 9
— French - - - - - the Gallon	0 5 6	
— Canary - - - - - the Gallon	0 5 6	
— Madeira - - - - - the Gallon	0 5 6	
— Portugal - - - - - the Gallon	0 5 6	
— Rhenish - - - - - the Gallon	0 5 6	
— Spanish - - - - - the Gallon	0 5 6	
— other Sorts - - - - - the Gallon	0 5 6	
(The full Duties on Wine are drawn back upon Re-exportation or Shipment as Stores.)		
— Lees, subject to the same Duty as Wine, but no Drawback is allowed on the Lees of Wine exported.		
Woad - - - - -	Free.	Free.
Wood.		
Timber and Woods not otherwise charged, <i>viz.</i>		
Timber or Woods, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood, sawn, split, or other- wise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty - the Load of Fifty Cubic Feet	1 5 0	0 1 0
— Deals, Battens, Boards, or other Timber or Wood, sawn or split, and not otherwise charged with Duty, the Load of 50 Cubic Feet	1 12 0	0 2 0

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
<i>Wood—continued.</i>		
Timber and Woods not otherwise charged, <i>viz.</i>		
Staves - - the Load of 50 Cubic Feet	1 8 0	0 2 0
Staves not exceeding 72 Inches in Length, nor Seven Inches in Breadth, nor $3\frac{1}{4}$ Inches in Thickness -	Free.	Free.
Birch, hewn, not exceeding Three Feet in Length, nor exceeding Eight Inches square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries - - -	—	—
Firewood - - the Fathom of 216 Cubic Feet	0 10 0	Free.
Handspikes, not exceeding Seven Feet in Length, the 120	1 0 0	0 0 6
— exceeding Seven Feet in Length the 120	2 0 0	0 1 0
Knees, under Five Inches square - - the 120	0 10 0	0 0 3
— Five Inches, and under Eight Inches square, the 120	2 0 0	0 1 0
Lathwood - - the Fathom of 216 Cubic Feet	2 0 0	0 1 0
Oars - - - the 120	7 10 0	0 3 9
Spars or Poles, under 22 Feet in Length, and under 4 Inches in Diameter - - the 120	1 0 0	0 0 6
— 22 Feet in Length and upwards, and under Four Inches in Diameter - - the 120	2 0 0	0 1 0
— of all Lengths, Four Inches and under Six Inches in Diameter - - the 120	4 0 0	0 2 0
Spokes for Wheels, not exceeding Two Feet in Length - - - the 1,000	2 0 0	0 1 0
— exceeding Two Feet in Length - the 1,000	4 0 0	0 2 0
Teake - - - -	Free.	Free.
Wood for Shipbuilding, previously admitted at the same Duty as Teake - - -	—	—
Wastewood, <i>viz.</i> , Billetwood or Brushwood, used for the Purposes of Stowage, for every 100 <i>l.</i> Value	5 0 0	0 5 0
Wood planed, or otherwise dressed or prepared for Use, and not particularly enumerated, nor otherwise charged with Duty - - -	$7\frac{1}{2}$ <i>d.</i> per Foot of Cubic Contents, and further for every 100 <i>l.</i> Value 10 0 0	For every 100 <i>l.</i> Value, 5 0 0
— Maple, being Furniture Wood - -	Free.	Free.
— New Zealand Wood, being Furniture Wood -	Free.	Free.

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

Wood—*continued.*

Or, in lieu of the Duties imposed upon Wood by the Load according to the Cubic Content, the Importer may have the Option, at the Time of passing the First Entry, of entering Battens, Batten Ends, Boards, Deals, Deal Ends, and Plank, by Tale, if of or from Foreign Countries, according to the following Dimensions, *viz.*—

			Rates of Duty.								
			Not above 7 Inches in Width.			Not above 1½ Inch in Thickness.			Above 1½ Inch and not above 2½ in Thickness.		
			£	s.	d.	£	s.	d.	£	s.	d.
Battens and Batten Ends :—											
Not above Six Feet in Length - the 120			-	-		1	10	10	3	1	7
Above Six and not above Nine Feet in Length - - - the 120			-	-		2	6	2	4	12	5
Above Nine and not above 12 Feet in Length - - - the 120			-	-		3	1	7	6	3	2
Above 12 and not above 15 Feet in Length - - - the 120			-	-		3	17	0	7	14	0
Above 15 and not above 18 Feet in Length - - - the 120			-	-		4	12	5	9	4	10
Above 18 and not above 21 Feet in Length - - - the 120			-	-		5	7	9	10	15	7
Boards, Deals, Deal Ends, and Plank :—											
Not above Six Feet in Length - the 120			-	-		2	9	5	4	18	10
Above Six and not above Nine Feet in Length - - - the 120			-	-		3	14	1	7	8	3
Above Nine and not above 12 Feet in Length - - - the 120			-	-		4	18	10	9	17	8
Above 12 and not above 15 Feet in Length - - - the 120			-	-		6	3	6	12	7	1
Above 15 and not above 18 Feet in Length - - - the 120			-	-		7	8	3	14	16	6
Above 18 and not above 21 Feet in Length - - - the 120			-	-		8	12	11	17	5	11
Not above Six Feet in Length, the 120 {	Above 9½ Inches and not above 11½ in Width.		-	-		2	19	10	5	19	7
Above Six and not above Nine Feet in Length - - - the 120			-	-		4	9	8	8	19	5
Above Nine and not above 12 Feet in Length - - - the 120			-	-		5	19	7	11	19	2
Above 12 and not above 15 Feet in Length - - - the 120			-	-		7	9	6	14	19	0
Above 15 and not above 18 Feet in Length - - - the 120			-	-		8	19	5	17	18	9
Above 18 and not above 21 Feet in Length - - - the 120			-	-		10	9	4	20	18	7

TABLE (A.)—GOODS, WARES, AND MERCHANDIZE IMPORTED—*continued.*

ARTICLES.	Rates of Duty.	
	Of or from Foreign Countries.	Of and from British Possessions.
	£ s. d.	£ s. d.
Wool, <i>viz.</i>		
—— Alpaca, and the Llama Tribe - -	Free.	Free.
—— Beaver - - - -	—	—
—— ——— cut and combed - - -	—	—
—— Coney - - - -	—	—
—— Cotton, or Waste of Cotton Wool - -	—	—
—— Goats, or Hair - - - -	—	—
—— Hares - - - -	—	—
—— Sheep or Lambs Wool - - -	—	—
Woollens, <i>viz.</i>		
—— Manufactures of Wool, not being Goats Wool, or of Wool mixed with Cotton, not particularly enumerated or de- scribed, not otherwise charged with Duty - - - for every 100 <i>l.</i> Value	15 0 0	5 0 0
—— Articles or Manufactures of Wool, not being Goats Wool, or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty, for every 100 <i>l.</i> Value	20 0 0	10 0 0
Yarn, <i>viz.</i>		
—— Cable (1) - - - - the Cwt.	0 3 0	0 3 0
—— Camel or Mohair - - - -	Free.	Free.
—— Raw Linen - - - -	—	—
Worsted - - - - the lb.	0 0 6	0 0 6
Zaffre - - - -	Free.	Free.
Zebra Wood - - - -	—	—
Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being enumerated or described, not otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - for every 100 <i>l.</i> Value	20 0 0	20 0 0
Goods unenumerated, not being either in part or wholly manufactured, not enumerated or prohibited -	Free.	Free.

(1) Not subject to the additional 5*l.* per Cent. See § 4.

TABLE (B.)

DUTIES of CUSTOMS payable on Goods the Produce of the United Kingdom
exported to Foreign Countries.

		Rate of Duty.		
		£	s.	d.
Coals, Culm, or Cinders in a Foreign Ship	- the Ton	0	4	0

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. XCI.

An Act for the warehousing of Goods.

[4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the warehousing of Goods*, whereby the Laws of Customs in relation to the warehousing of Goods were consolidated: And whereas since the passing of the said Act divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Effect for the Purposes therein mentioned, except where any other Commencement is therein particularly directed.

3 & 4 W.4. c.57.

Commencement
of Act.

II. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by their Warrant from Time to Time, to appoint the Ports in the United Kingdom which shall be warehousing Ports for the Purposes of this Act; and that it shall be lawful for the Commissioners of Her Majesty's Customs, subject to the

Treasury to
appoint ware-
housing Ports.

Commissioners
to appoint Ware-

houses, and
require Bond.

Authority and Directions of the Commissioners of Her Majesty's Treasury, by their Order from Time to Time to appoint (1) in what Warehouses or Places of special Security, or of ordinary Security, as the Case may require, in such Ports, and in what different Parts or Divisions of such Warehouses or Places, and in what Manner any Goods, and what Sorts of Goods, may and may only be warehoused and kept and secured without Payment of any Duty upon the first Entry thereof, or for Exportation only, in Cases where the same may be prohibited to be imported for Home Use (2); and also in such Order to direct in what Cases (if any) Security by Bond, in manner herein-after provided (3), shall be required in respect of any Warehouse so appointed by them.

Warehouses of
special Security
to be so stated
on their Ap-
pointment.

Warehouses
connected with
Wharfs, and
within Walls,
&c. to be Ware-
houses of spe-
cial Security,
without Ap-
pointment.

III. And be it enacted, That whenever any Warehouse shall have been approved of by the said Commissioners of Her Majesty's Customs as being a Warehouse of special Security, it shall be stated in their Order of Appointment that such Warehouse is appointed as a Warehouse for special Security: Provided always, that all Warehouses connected with the Wharfs for the landing of the Goods to be lodged therein, and inclosed together with such Wharfs within Walls such as are or shall be required by any Act for the constructing of such Warehouses and Wharfs, and being appointed to be legal Quays, shall, without any Order of the said Commissioners, be Warehouses for the Purposes of this Act for all Goods landed at such Wharfs or Quays at any Port appointed by the Commissioners of Her Majesty's Treasury to be a warehousing Port as aforesaid, and all such Warehouses shall be Warehouses of special Security.

Appointments
made and Bonds
given previous
to Act to con-
tinue in force.

IV. And be it enacted, That all Appointments of Warehouses for the warehousing of Goods made under the Authority of any other Act in force at the Time of the Commencement of this Act, shall continue in force as if the same had been made under the Authority of this

(1) As to previous Appointments, see § 4.; as to Revocations, see § 6.; as to Publication of Appointments, see § 7.

(2) See Cap. 86. § 7. as to reporting prohibited Goods; also same Act, § 20., as to entering them. See also same Act, §§ 64, 65., and Cap. 88. § 22.

(3) See § 8.; and in Cases of re-warehousing, see §§ 27, 28. See also §§ 33, 34.

Act; and all Bonds given in respect of any Goods warehoused or entered to be warehoused under any Act in force at the Time of the Commencement of this Act, shall continue in force for the Purposes of this Act.

V. And be it enacted, That the Commissioners of Her Majesty's Customs shall, out of the Monies arising from the Duties of Customs, provide from Time to Time the Warehouses for the warehousing of Tobacco at the Ports (1) into which Tobacco may be legally imported: Provided always, that for every Hogshead, Chest, Case, or other Package of Tobacco so warehoused the Importer or Proprietor thereof shall pay as and for Warehouse Rent such Sum or Sums, not exceeding any Sum payable under any Act in force at the Time of the Commencement of this Act, and at such Periods and in such Manner, as the Commissioners of Her Majesty's Treasury shall from Time to Time by their Warrant appoint and direct, and all such Sums shall be paid, received, and appropriated as Duties of Customs.

Commissioners to provide Warehouses for Tobacco, and Treasury to fix Rent.

VI. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury by their Warrant, and for the said Commissioners of Customs by their Order, from Time to Time to revoke any former Warrant or any former Order, or to make any Alteration in or Addition to any former Warrant or any former Order made as aforesaid by them respectively.

Power to revoke or alter Appointment.

VII. And be it enacted, That every Order made by the said Commissioners of Her Majesty's Customs in respect of Warehouses of special Security, as well those of original Appointment as those of Revocation, Alteration, or Addition, shall be published in the *London Gazette* for such as shall be appointed in *Great Britain*, and in the *Dublin Gazette* for such as shall be appointed in *Ireland*.

Publication of Appointment in Gazette.

VIII. And be it enacted, That before any Goods shall be entered to be warehoused in any Warehouse, in respect of which Security by Bond shall be required as afore-

Warehouse Keeper may give general Bond, if willing;

(1) See Cap. 86. § 63. as to the Ports into which Tobacco may be imported. Also, as to Tobacco for the Use of the Navy, see § 25., and Cap. 86. §§ 107, 108, 109.

or Importer
give particular
Bond.

Sale of Goods
in Warehouse
by Proprietor
to be valid,
although they
remain in such
Warehouse.

Transfer of such
Goods to be
entered in a
Book.

Stowage in
Warehouse to
afford easy
Access.

said (1), the Proprietor or Occupier of such Warehouse, if he be willing, shall give general Security by Bond, with Two sufficient Sureties, for the Payment of the full Duties (2) of Importation on all such Goods as shall at any Time be warehoused therein, or for the due Exportation thereof (3); and if such Proprietor or Occupier be not willing to give such general Security, the different Importers (4) of the separate Quantities of Goods shall upon each Importation, before such Goods shall be entered to be warehoused, give such Security by Bond with One sufficient Surety, in respect of the particular Goods imported, the Penalty of such Bond being Double the Amount of the Duty to which such Goods are subject.

IX. And be it enacted, That if any Goods lodged in any Warehouse shall be the Property of the Occupier of such Warehouse, and shall be *bona fide* sold by him, and upon such Sale there shall have been a written Agreement signed by the Parties, or a written Contract of Sale made, executed, and delivered by a Broker, or other Person legally authorized for or in behalf of the Parties respectively, and the Amount of the Price stipulated in the said Agreement or Contract shall have been actually paid or secured to be paid by the Purchaser, every such Sale shall be valid, although such Goods shall remain in such Warehouse; provided that a Transfer of such Goods, according to such Sale, shall have been entered in a Book to be kept for that Purpose by the Officer of the Customs having the Charge of such Warehouse, who is hereby required to keep such Book and to enter such Transfers, with the Dates thereof, upon Application of the Owners of the Goods, and to produce such Book upon Demand made.

X. And be it enacted, That all Goods warehoused shall be stowed in such Manner (5) as that easy Access may be had to every Package and Parcel of the same, and if the Occupier of the Warehouse shall omit so to stow the same he shall for every such Omission forfeit the Sum of Five Pounds; and if any Goods shall be taken out of any

(1) See § 2.

(2) As to Liability of Warehouse Keeper, see § 10.

(3) As to Removals, see §§ 25 to 32.

(4) Purchasers of warehoused Goods may give Bond in lieu of the original Bond, § 33.

(5) See § 2.

Warehouse without due Entry of the same with the proper Officers of the Customs, the Occupier of the Warehouse shall be liable to the Payment of the Duties due thereon.

XI. And be it enacted, That the Occupier or Occupiers of any Warehouse in which Goods are deposited under the Provisions of this Act shall, upon any Request being made by any Officer duly authorized by the Commissioners of Her Majesty's Customs, immediately produce to such Officer any Goods deposited therein, or received into his or their Custody, for the Delivery of which the said Occupier or Occupiers has or have not received an Order duly signed by the proper Warehouse Officer, and upon every Failure so to do such Occupier or Occupiers shall forfeit the Sum of Five Pounds, over and above the Duties to which every Package or Parcel of Goods not so produced may be liable.

Occupiers of Warehouses to produce, on demand, Goods to Officers of Customs, or to forfeit 5*l*.

XII. And be it enacted, That if any Goods warehoused shall be fraudulently concealed in or removed from the Warehouse the same shall be forfeited; and if any Importer or Proprietor of any Goods warehoused, or any Person in his Employ, shall by any Contrivance fraudulently open the Warehouse, or gain Access to the Goods, except in the Presence of the proper Officer acting in the Execution of his Duty, such Importer or Proprietor shall forfeit and pay for every such Offence the Sum of Five hundred Pounds.

Goods fraudulently concealed or removed forfeited.

Penalty on opening the Warehouse without the Officer, 500*l*.

XIII. And be it enacted, That if any Goods entered to be warehoused under any Law made for the warehousing of Goods shall be removed and not deposited in a Warehouse or Place of Security, in pursuance of such Entry, every Person who shall remove or assist or be otherwise concerned in the removing of any such Goods, or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, any such Goods so removed, and every Person to whose Hands and Possession any Goods so removed shall knowingly come, shall forfeit either Treble the Value thereof, or the Penalty of One hundred Pounds, at the Election of the Commissioners of Her Majesty's Customs, and such Goods shall be forfeited.

Persons assisting in the removing of Goods entered for the Warehouse, and not deposited there, subjected to Penalties.

Examination
on Entry and
Landing.

Marking
Package.

XIV. And be it enacted, That within One Month after any Tobacco shall have been warehoused (1), and upon the Entry (2) and Landing of any other Goods to be warehoused, the proper Officer of Customs shall take a particular Account (3) of the same, and shall mark the Contents on each Package, and shall mark the Word "Prohibited" on such Packages as contain Goods prohibited to be imported for Home Use; and that all Goods shall be warehoused and kept in the Packages in which they shall have been imported, and no Alteration shall be made in the Packages or the packing of any Goods in the Warehouse, except in the Cases herein-after provided. (4)

Goods to be
carried to Ware-
house under
Authority of
Officer of
Customs.

XV. And be it enacted, That all Goods entered to be warehoused or to be re-warehoused (5) shall be carried into the Warehouse under the Care or with the Authority or Permission of the proper Officer of Customs, and in such Manner and by such Persons, and by such Roads or Ways, and within such Spaces of Time, as the proper Officer of Customs shall authorize, permit, or direct, and all such Goods not so carried shall be forfeited.

Goods to be
cleared in Three
Years; Ship's
Stores in One
Year;

if not cleared
to be sold.

XVI. And be it enacted, That all Goods which have been so warehoused shall be duly cleared either for Exportation or for Home Use within Three Years, and all surplus Stores (6) of Ships within One Year from the Day of the first Entry thereof, unless further Time be given by the Commissioners of Her Majesty's Treasury; and if any such Goods be not so cleared, it shall be lawful for the Commissioners of Her Majesty's Customs to cause the same to be sold, and the Produce shall be applied to the Payment of the Warehouse Rent and other Charges, and the Overplus (if any) shall be paid to the Proprietor; and such Goods, when sold, shall be held subject to all the Conditions to which they were subject previous to such Sale, except that a further Time of Three Months from the Date of the Sale shall be allowed to the Purchaser for the clearing of such Goods from the Warehouse; and if the Goods so sold shall not be duly cleared from the

Purchaser
allowed Three
Months.

(1) As to sorting, see § 35.; and as to Abandonment, see § 37.

(2) See Cap. 86. §§ 16. 18.

(3) Duties due on landing Quantities, see § 21.

(4) See §§ 35, 36, and 37.

(5) See § 25.

(6) See § 20. See also Cap. 86. § 35.

Warehouse within such Three Months the same shall be forfeited.

XVII. And be it enacted, That if any Goods entered to be warehoused, or entered to be delivered from the Warehouse, shall be lost or destroyed by any unavoidable Accident, either on Ship-board or in the landing or shipping of the same, or in the receiving into or delivering from the Warehouse, it shall be lawful for the Commissioners of Her Majesty's Customs to remit or return the Duties payable or paid on the Quantity of such Goods so lost or destroyed.

In case of Accident in landing or shipping Goods, Duty may be remitted.

XVIII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs to remit the Duties payable or paid on the whole or any Portion of any Goods which shall be lost or destroyed by any unavoidable Accident in the Warehouse in which the same shall have been deposited under the Provisions of this or any other Act passed for the warehousing of Goods; and that the Duties payable upon the following Articles deposited in Warehouses of special Security, that is to say, Wines, Currants, Raisins, Figs, Hams, and Cheese, when taken out of the Warehouse for Home Use, shall be charged upon the Quantities ascertained by the Measure or Weight of the same actually delivered.

Duties on Goods lost or destroyed in Warehouse by Accident remitted;

and on certain Goods warehoused to be charged on Quantity delivered.

XIX. And be it enacted, That no Goods which have been so warehoused shall be taken or delivered from the Warehouse, except upon due Entry, and under Care of the proper Officers for Exportation (1), or upon due Entry and Payment of the full Duties payable thereon for Home Use, if they be such Goods as may be used in the United Kingdom, save and except Goods delivered into the Charge of the Searchers to be shipped as Stores, and which shall and may be so shipped without Entry or Payment of any Duty for any Ship of the Burden of Sixty Tons at least, bound upon a Voyage to Foreign Parts, the probable Duration of which, out and home, will not be less than Forty Days: Provided always, that such Stores

Entry for Exportation or Home Use.

Goods permitted to be shipped from the Warehouse Duty free as Ship's Stores

(1) See § 39. as to the Delivery of Goods for particular Purposes, and §§ 42, 43, and 44. as to Sugar to be refined. As to surplus Stores, see § 20.

shall be duly borne upon the Ship's Victualling Bill (1), and shall be shipped in such Quantities and subject to such Directions and Regulations as the Commissioners of Customs shall direct and appoint.

Rum for Stores
and surplus
Stores may be
shipped without
Entry, if borne
on Victualling
Bill;

XX. Provided always, and be it enacted, That any Rum (2) of the *British* Plantations may be delivered into the Charge of the Searcher to be shipped as Stores for any Ship without Entry or Payment of any Duty, and any surplus Stores of any Ship may be delivered into the Charge of the Searcher to be re-shipped as Stores for the same Ship, or for the same Master in another Ship, without Entry or Payment of any Duty, such Rum and such surplus Stores (3) being duly borne upon the Victualling Bills of such Ships respectively, and if the Ship, for the future Use of which any surplus Stores have been warehoused, shall have been broken up or sold, such Stores may be so delivered for the Use of any other Ship belonging to the same Owners, or may be entered for Payment of Duty, and delivered for the private Use of such Owners, or any of them, or of the Master or Purser of such Ship.

or entered for
private Use.

Duties to be
paid on original
Quantities,
except in certain
Cases.

XXI. And be it enacted, That upon the Entry of any such Goods to be cleared from the Warehouse, if the same be for Home Use, the Person entering such Goods inwards shall deliver a Bill of the Entry and Duplicates thereof, in like Manner as directed by Law in the Case of Goods entered to be landed (4), as far as the same is applicable, and at the same Time shall pay down to the proper Officer of the Customs the full Duties of Customs payable thereon, and not being less in Amount than according to the Account (5) of the Quantity first taken of the respective Packages or Parcels of the Goods in such Entry at the Examination thereof, at the Time of the first Entry and landing of the same, without any Abatement on account of any Deficiency, except by this Act is otherwise provided (6); and that if the Entry be for Exportation or

If for Export-
ation or Remo-

(1) See Cap. 86. § 68.

(2) See § 35. as to drawing off Rum for Stores in the Warehouse.

(3) See § 16.

(4) See Cap. 86. § 18.

(5) The Duty upon Wines, Currants, Raisins, Figs, Hams, and Cheese deposited in Warehouses of special Security is to be charged upon the Quantity delivered. See § 18.

(6) See § 22. as to Tobacco, Sugar, and Spirits; § 23. as to Corn; §§ 45, 46. as to other Goods.

for Removal to any other Warehouse, and any of the Packages or Parcels of the Goods be deficient of the respective Quantities of the same according to the Account first taken as aforesaid, a like Entry inwards shall also be passed in respect of the Quantities so deficient, and the full Duties shall be paid on the Amount thereof before such Packages or Parcels of Goods shall be delivered or taken for Exportation or Removal, except as by this Act is otherwise provided (1); and if any Goods so deficient in Quantity shall be such as are charged to pay Duty according to the Value thereof, such Value shall be estimated at the Price for which the like Sorts of Goods of the best Quality shall have been last or lately sold.

val, Duties on
Deficiencies to
be paid.

How Value
ascertained.

XXII. And be it enacted, That the Duties payable upon Tobacco, Sugar, and Spirits respectively, when taken out of Warehouse for Home Use, shall be charged upon the Quantities ascertained by the Weight, Measure, or Strength of the same actually delivered, save and except that if the Sugar shall not be in a Warehouse of special Security (2) no greater Abatement on account of Deficiency of the Quantity, first ascertained as aforesaid (3), shall be made than shall be after the Rate of Three *per Centum* of such Quantity for the first Three Months, and One *per Centum* for every subsequent Month during which such Sugar shall have been warehoused; and also save and except that if the Spirits (being any other Spirits than Rum of the *British* Plantations) shall not be in a Warehouse of special Security no greater Abatement on account of Deficiency of the Quantity or Strength first ascertained as aforesaid shall be made than shall be after the several Rates of Allowances following; (that is to say,)

Duties on Tobacco, Sugar, and Spirits to be charged on Quantities delivered, except in certain Cases.

For every Hundred Gallons Hydrometer Proof:—

For any Time not exceeding Six Months, One Gallon:

For any Time exceeding Six Months, and not exceeding Eighteen Months, Three Gallons:

For any Time exceeding Eighteen Months, and not exceeding Two Years, Five Gallons:

(1) See §§ 45, 46.

(2) As to Warehouses of special Security, see §§ 2. and 3.

(3) See § 21.

For any Time exceeding Two Years, and not exceeding Two Years and a Half, Six Gallons :

For any Time exceeding Two Years and a Half, and not exceeding Three Years, Seven Gallons :

And for every additional Year, Two Gallons :

No Allowance
for Leakage.

Provided always, that no Abatement shall be made in respect of any Deficiency in Quantity of any Spirits occasioned by Leakage and not by natural Evaporation, in whatever Warehouse the same may be, except as by this Act is otherwise specially provided.

Allowances for
natural Defi-
ciency on Corn
or Grain in
Warehouse.

XXIII. And be it enacted, That in respect of any Wheat or Barley, or any Rye or any Oats, lodged in Warehouses without Payment of Duty on the first Importation thereof, the following Allowances for natural Waste shall be made upon the Exportation thereof, or upon the Entry thereof for Home Consumption ; (that is to say,)

In respect of all Wheat, Barley, and Rye, except as is herein-after provided, which has been in Warehouse One Month and less than Three Months, there shall be allowed One and a Half *per Centum* :

In respect of all Wheat, Barley, and Rye, except as herein-after provided, which has been in Warehouse Three Months and less than Six Months, there shall be allowed Two *per Centum* :

In respect of all Wheat, Barley, and Rye, except as is herein-after provided, which has been in Warehouse Six Months and less than Twelve Months, there shall be allowed Two and a Half *per Centum* :

And in respect of all Wheat, Barley, and Rye, except as is herein-after provided, which has been in Warehouse Twelve Months and upwards, there shall be allowed Three *per Centum* :

In respect of Oats, except as is herein-after provided, which have been in Warehouse One Month and less than Three Months, there shall be allowed Two and a Half *per Centum* :

In respect of Oats, except as is herein-after provided, which have been in Warehouse Three Months and less than Six Months, there shall be allowed Three and a Half *per Centum* :

In respect of Oats, except as is herein-after provided, which have been in Warehouse Six Months and less

than Twelve Months, there shall be allowed Four and a Half *per Centum* :

And in respect of Oats, except as is herein-after provided, which have been in Warehouse Twelve Months and upwards, there shall be allowed Five *per Centum* :

Provided nevertheless, that only Half the above Allowances hereby directed to be made on Wheat and Barley and Oats respectively shall be made upon *Spanish* Wheat and Barley and Oats respectively, and upon Wheat and Barley Kiln-dried abroad respectively, and that no such Allowance shall be made in respect of Rye being Kiln-dried: Provided also, that no such Allowance shall be made unless there shall be an actual Deficiency in the Quantity of such Wheat, Rye, Barley, and Oats originally warehoused.

XXIV. And be it enacted, That if after any Goods shall have been duly entered and landed to be warehoused, and before the same shall have been actually deposited in the Warehouse, the Importer shall further enter the same, or any Part thereof, for Home Use or for Exportation, as from the Warehouse, the Goods so entered shall be considered as virtually and constructively warehoused, although not actually deposited in the Warehouse, and shall and may be delivered and taken for Home Use or for Exportation, as the Case may be.

Importer may enter Goods for Home Use or for Exportation, although not actually warehoused.

XXV. And whereas it is expedient to make Regulations for the Removal of warehoused Goods (1) from one warehousing Port to another, and from one Warehouse to another in the same Port; be it therefore enacted, That any Goods which have been warehoused at some Port in the United Kingdom may be removed by Sea or inland Carriage to any other Port in the same in which the like Goods may be warehoused upon Importation (2), to be re-warehoused at such other Port, and again as often as may be required to any other such Port, to be there re-warehoused, subject to the Regulations herein-after mentioned; that is to say, Twelve Hours Notice in Writing of the Intention to remove such Goods shall be given to the Warehouse Officer, specifying the particular Goods intended to be removed, and the Marks, Numbers,

Goods may be removed to other Ports to be re-warehoused;

and on Notice given Officers to prepare them for Removal.

(1) Under original Conditions, see §§ 29, 32.

(2) See § 2.

and Description of the Packages in which the same are contained, in what Ship imported, when and by whom entered Inwards to be warehoused, and if subsequently re-warehoused when and by whom re-warehoused, and to what Ports the same are to be removed; and thereupon the Warehouse Officer shall take a particular Account of such Goods, and shall mark the Contents on every Package in preparation for the delivering of the same for the Purposes of such Removal, and previous to the Delivery thereof may cause the proper Seals of Office to be affixed thereto: Provided always, that Tobacco, the Produce of the *British Possessions in America*, or of the United States of *America*, and purchased for the Use of Her Majesty's Navy (1), may be removed by the Purser of any Ship of War in actual Service to the Ports of *Rochester*, *Portsmouth*, or *Plymouth* (2), to be there re-warehoused, in the Name of such Purser, in such Warehouse as shall be approved for that Purpose by the Commissioners of Her Majesty's Customs.

Tobacco for
Use of Navy
may be removed
to certain Ports.

Entry of Goods
for Removal.

Account sent to
other Ports.

Entry at Port
of Arrival to
re-warehouse.

Forms of
Entries.

XXVI. And be it enacted, That before such Goods shall be delivered to be removed due Entry of the same shall be made, and a proper Bill (3) of such Entry, with Duplicates thereof, be delivered to the Collector or Comptroller (4), containing the before-mentioned Particulars, and an exact Account of the Quantities of the different Sorts of Goods; and such Bill of Entry, signed by the Collector and Comptroller, shall be the Warrant for the Removal of such Goods; and an Account of such Goods, containing all such Particulars, shall be transmitted by the proper Officers of the Port of Removal to the proper Officers of the Port of Destination; and upon the Arrival of such Goods at the Port of Destination due Entry of the same to be re-warehoused shall in like Manner be made with the Collector and Comptroller at such Port, containing all the Particulars and Accounts before mentioned, together with the Name of the Port from which such Goods have been removed, and the Description and Situation of the Warehouse in which they are to be ware-

(1) For general Regulations as to Tobacco for the Use of the Navy, see Cap. 86. §§ 107, 108, 109.

(2) For regular Tobacco Ports, see Cap. 86. § 63.

(3) See § 21., and Cap. 86. § 18.

(4) Or any other Officer appointed by the Commissioners as may be necessary in the large Ports. See Cap. 85. § 7.

housed; and the Bill of such Entry, signed by such Collector and Comptroller, shall be the Warrant to the Landing Officer and the Warehouse Officer to admit such Goods, to be there re-warehoused, under such Examination as is made of the like Goods when first warehoused (1) upon Importation from Parts beyond the Seas; and the Particulars to be contained in such Notice and in such Entries shall be written and arranged in such Form and Manner as the Collector and Comptroller shall require; and the Officers at the Port of Arrival shall transmit to the Officers at the Port of Removal an Account of the Goods so arrived, according as they shall upon Examination prove to be, and the Warehouse Officers at the Port of Removal shall notify such Arrival in their Books.

Examination
of Officers.

Certificate of
Arrival sent to
Port of Re-
moval.

XXVII. And be it enacted, That the Person removing such Goods shall at the Time of entering the same give Bond (2), with One sufficient Surety, for the due Arrival and re-warehousing of such Goods, within a reasonable Time, with reference to Distance between the respective Ports, to be fixed by the Commissioners of Her Majesty's Customs, which Bond may be taken by the Collector and Comptroller either of the Port of Removal or of the Port of Destination, as shall best suit the Residence or Convenience of the Persons interested in the Removal of such Goods; and if such Bond shall have been given at the Port of Destination, a Certificate thereof, under the Hands of the Collector and Comptroller of such Port, shall, at the Time of entering such Goods, be produced to the Collector or Comptroller of the Port of Removal.

Bond to re-
warehouse,
which may be
given at either
Port.

XXVIII. And be it enacted, That such Bond shall not be discharged unless such Goods shall have been duly re-warehoused at the Port of Destination within the Time allowed for such Removal, or shall have been otherwise accounted for to the Satisfaction of the said Commissioners, nor until the full Duties due upon any Deficiency of such Goods shall have been paid, nor until fresh Security shall have been given in respect of such Goods in manner herein-after provided (3), unless such Goods shall have been lodged in some Warehouse in respect of which general

Bond how to
be discharged.

(1) See § 14.

(2) See §§ 28. 34. as to the Discharge of this Bond.

(3) See § 34.

Security shall have been given by the Proprietor or Occupier thereof, or in some Warehouse in respect of which no Security is required. (1)

Goods re-ware-
housed held on
Terms of first
warehousing.

XXIX. And be it enacted, That such Goods when so re-warehoused may be entered and shipped for Exportation, or entered and delivered for Home Use, as the like Goods may be when first warehoused upon Importation, and the Time when such Goods shall be allowed to remain re-warehoused at such Port shall be reckoned from the Day when the same were first entered to be warehoused. (2)

On Arrival,
after Forms of
re-warehousing,
Parties may
enter to Export,
or take for
Home Use,
without first
carrying to the
Warehouse.

XXX. And be it enacted, That if upon the Arrival of such Goods at the Port of Destination the Parties shall be desirous forthwith to export the same, or to pay Duty thereon for Home Use, without actually lodging the same in the Warehouse for which they have been entered and examined to be re-warehoused, it shall be lawful for the Officers of the Customs at such Port, after all the Formalities of entering and examining such Goods for re-warehousing have been duly performed, except the actual Labour of carrying and lodging the same in the Warehouse, to consider the same as virtually or constructively re-warehoused, and to permit the same to be entered and shipped for Exportation, or to be entered and delivered for Home Use, upon Payment of the Duties due thereon, in like Manner as if such Goods had been actually so carried and lodged in such Warehouse; and the Account taken for the re-warehousing of such Goods may serve as the Account for delivering the same as if from the Warehouse either for Shipment or for Payment of Duties, as the Case may be; and all Goods so exported, or for which the Duties have been so paid, shall be deemed to have been duly cleared from the Warehouse.

Removal in the
same Port.

XXXI. And be it enacted, That any Goods which have been warehoused in some Warehouse in the Port of *London* may, with the Permission of the Commissioners of Customs first obtained, be removed to any other Warehouse in the said Port in which the like Goods may be warehoused on Importation; and any Goods which have been warehoused in some Warehouse in any other Port

(1) See §§ 8. and 2.

(2) See § 16.

may, with the Permission of the Collector and Comptroller of such Port first obtained, be removed to any other Warehouse in the same Port in which the like Goods may be warehoused on Importation, under such general Regulations as the Commissioners of Customs shall direct.

XXXII. And be it enacted, That all Goods which shall have been removed from one Warehouse for or to another, whether in the same Port or in a different Port, and all Proprietors of such Goods, shall be held subject in all respects to all the Conditions to which they would have been held subject if such Goods had remained in the Warehouse where the same had been originally warehoused.

Goods and Parties subject to original Conditions.

XXXIII. And be it enacted, That if any Goods shall have been warehoused in any Warehouse in respect of which general Security by Bond as herein-before provided (1) shall not have been given by the Proprietor or Occupier of such Warehouse, and particular Security, as in such Case is required, shall have been given by the Importer of such Goods in respect of the same, and such Goods shall have been sold or disposed of, so that the original Bonder shall be no longer interested in or have Control over such Goods, it shall be lawful for the proper Officers to admit fresh Security to be given, by the Bond of the new Proprietor of such Goods or Persons having the Control over the same, with his sufficient Surety, and to cancel the Bond given by the original Bonder of such Goods, or to exonerate him and his Surety to the Extent of the fresh Security so given.

Goods sold, new Owner may give Bond, and release the original Bonder.

XXXIV. And be it enacted, That if the Person removing any Goods from one Port to another, and who shall have given Bond (2) in respect of such Removal and re-warehousing, shall be and shall continue to be interested in such Goods after the same shall have been duly re-warehoused, and such Goods shall have been so re-warehoused in some Warehouse in respect of which Security is required (3), and the Proprietor or Occupier

Bond of Remover to be in force in new Warehouse until fresh Bond be given by new Owner.

(1) See § 8.

(2) See § 27.

(3) See § 2.

of the same shall not have given general Security (1), the Bond in respect of such Removal and re-warehousing shall be conditioned and continue in force for the re-warehousing such Goods until fresh Bond be given by some new Proprietor or other Person in manner herein-before provided. (2)

To sort, separate, and re-pack in same or equal Packages;

to bottle off Wine or Rum for Exportation;

to draw off Rum for Stores;

to mix Brandy with Wine;

to fill up or rack off Casks of Wine;

XXXV. And be it enacted, That it shall be lawful in the Warehouse to sort, separate, pack and re-pack any Goods, and to make such lawful Alterations (3) therein or Arrangements thereof as may be necessary either for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same; provided that such Goods be re-packed in the same Packages in which the same Goods, or some Part of the whole Quantity of the same Parcel of Goods, were imported, or in Packages of entire Quantity equal thereto, or in such other Packages (4) as the Commissioners of Her Majesty's Customs shall permit (not being less in any Case, if the Goods be to be exported or to be removed to another Warehouse, than may be required by Law for the Importation (5) of such Goods); and also in the Warehouse to draw off any Wine or any Rum of the *British* Plantations into reputed Quart Bottles or reputed Pint Bottles, for the Purpose only of being exported from the Warehouse; and also in the Warehouse to draw off any such Rum into Casks, containing not less than Twenty Gallons each, for the Purpose only of being disposed of as Stores (6) for Ships; and also in the Warehouse to draw off any other Spirits into reputed Quart Bottles, under such Regulations as the Commissioners of Customs shall from Time to Time direct, for the Purpose only of being exported from the Warehouse; and also in the Warehouse to draw off and mix with any Wine any Brandy, secured in the same Warehouse (7), not exceeding the Proportion of Ten Gallons of Brandy to One hundred Gallons of Wine; and also in the Warehouse to fill up any Casks of Wine or Spirits from any other Casks of the same, respectively

(1) See § 8.

(2) See § 33.

(3) See §§ 36, 37.

(4) See § 37.

(5) See Table of Restrictions, Cap. 86. § 63.

(6) See § 20.

(7) As to Removal from one Warehouse to another, see § 31.

secured in the same Warehouse; and also in any Warehouse of special Security to rack off any Wine from the Lees (1), and in such Warehouse to mix any Wines of the same Sort, erasing from the Cask all import Brands; and also in the Warehouse to take such moderate Samples of Goods as may be allowed by the Commissioners of Her Majesty's Customs, without Entry and without Payment of Duty, except as the same may eventually become payable as on a Deficiency (2) of the original Quantity. (3)

to take Samples.

XXXVI. Provided always, and be it enacted, That no Alteration shall be made in any such Goods or Packages, nor shall any such Wine, Rum, Brandy, or Spirits be bottled, drawn off, mixed, or filled up, nor shall any such Samples be taken, except after such Notices given by the respective Importers or Proprietors, and at such Times and in such Manner, and under such Regulations and Restrictions, as the Commissioners of Customs shall from Time to Time require and direct.

No Alteration to be made in Goods or Packages, but according to Regulations.

XXXVII. And whereas it may happen that after the re-packing into proper Packages of any Parcel of Goods which have been unpacked and separated or drawn off from the original Package, in any of the Cases hereinbefore provided for, there may remain some surplus Quantities of the respective Parcels of such Goods which may not be sufficient to make or fill up any One of such proper Packages, or it may happen that some Part of such Goods when separated from other Parts may be such Refuse, or in so damaged a State, as to be worthless, or that the total Quantity of such Parcel of Goods may be reduced by the Separation of Dirt or Sediment, or by the Dispersion of Dust or otherwise: And whereas the Duties payable on such Goods may have been levied at a Rate having regard to a just Allowance for the State in which such Goods are imported, and it is not proper that any manufacturing Process should be performed in such Warehouse to the Detriment of the Revenue; be it therefore enacted, That after such Goods have been so re-

Re-packing in proper Packages.

After re-packing damaged

(1) Lees of Wine may be abandoned for the Duty, see § 37.

(2) As to Allowances for Deficiencies for Home Use, see §§ 21, 22, 23.; and §§ 45, 46. for such Allowances upon Exportation.

(3) See § 14.

Parts may be destroyed.

Disposal of surplus Quantity.

Quantities in new Packages to be marked, and Deficiency to be apportioned.

Abandonment of Goods for the Duty.

packed in proper Packages (1), it shall be lawful for the Commissioners of Customs, at the Request of the Importer or Proprietor of such Goods, to cause or permit any such Refuse, Damage, or surplus Goods not contained in any of such Packages to be destroyed; and if the Goods be such as may be delivered for Home Use the Duties shall be immediately paid upon any Part of such Surplus as may remain, and the same shall be delivered for Home Use accordingly; and if they be such as may not be so delivered such Surplus as may so remain shall be disposed of for the Purpose of Exportation in such Manner as the Commissioners of Her Majesty's Customs shall direct; and thereupon the Quantity contained in each of such proper Packages shall be ascertained and marked upon the same; and the Deficiency shall be ascertained by a Comparison of the total Quantity in such proper Packages with the total Quantity first warehoused (2), and the Proportion which such Deficiency may bear to the Quantity in each Package shall also be marked on the same and added to such Quantity, and the Total shall be deemed to be the imported Contents of such Package, and be held subject to the full Duties of Importation, except as otherwise in any Case provided by this Act (3): Provided always, that it shall be lawful for the said Commissioners to accept the Abandonment for the Duties of any Quantity of Tobacco or Coffee, or Pepper or Cocoa (4), or Lees of Wine, and also of any whole Packages of other Goods, and to cause or permit the same to be destroyed, and to deduct such Quantity of Tobacco (5) or Coffee, or Pepper or Cocoa, or the Contents of such whole Packages, from the total Quantity of the same Importation in computing the Amount of the Deficiency of such total Quantity.

No Foreign Casks, &c. to be used for re-packing unless Duties paid.

XXXVIII. And be it enacted, That no Foreign Casks, Bottles, Corks, Packages, or Materials whatever, except any in which some Goods shall have been imported and warehoused, shall be used in the re-packing (6) of any

(1) See § 35.

(2) See § 14.

(3) See §§ 21, 22, 23; also §§ 45, 46.

(4) No Abatement of Duty for Damage on the Voyage is allowed in respect of these Articles. See Cap. 86. § 32.

(5) See Time allowed for taking the Landing Account of Tobacco, § 14.

(6) See re-packing, §§ 35, 37.

Goods in the Warehouse, unless the full Duties shall have been first paid thereon.

XXXIX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Customs to permit any Goods to be taken out of Warehouse for any such Purpose as may appear to them to be expedient, under such Regulations and Restrictions as they may think fit to direct, without Payment of Duty of Customs, under Security, nevertheless, by Bond to the Satisfaction of the said Commissioners, that such Regulations and Restrictions shall be duly complied with, and that such Goods shall be returned to the Warehouse within such Time as they shall appoint.

Goods may be delivered out of Warehouse for such Purposes as the Commissioners of Customs may direct.

XL. And be it enacted, That no Parcels of Goods so warehoused, which were imported in Bulk, shall be delivered, except in the whole Quantity of each Parcel, or in a Quantity not less than One Ton Weight, unless by special Leave of the proper Officers of Customs.

Goods in Bulk delivered.

XLI. And be it enacted, That no Goods so warehoused shall be delivered unless the same, or the Packages containing the same, shall have been marked in such distinguishing Manner as the Commissioners of Her Majesty's Customs shall deem necessary and practicable, and shall from Time to Time direct.

Packages to be marked before Delivery.

XLII. And be it enacted, That upon the Application to the Commissioners of Her Majesty's Customs of any Person actually carrying on the Business of a Sugar Refiner in the Ports of *London, Liverpool, Bristol, Hull, Greenock, or Glasgow*, or any other Port to be approved of by any Three of the Commissioners of Her Majesty's Treasury, it shall be lawful for the Commissioners of Her Majesty's Customs by their Order to approve of such Premises as Bonded Sugar Houses for the refining of Sugar for Exportation only, on it being made appear to the Satisfaction of the said Commissioners that the said Premises are fit in every respect for receiving such Sugars, and wherein the same may be safely deposited.

Commissioners of Her Majesty's Customs may approve of Premises for refining Sugar for Exportation.

XLIII. And be it enacted, That on the Approval of any Premises as Bonded Sugar Houses as aforesaid it shall be lawful for the Officers of the Customs at the Ports

On Approval thereof Officers of Customs empowered to

deliver Sugars
Duty free, to be
there refined
for Exportation
only.

Order of Ap-
proval may be
revoked.

Refiner to give
Bond.

Decrease and
Increase may be
ascertained and
allowed, under
Regulations of
the Treasury.

respectively where such Premises are situated to deliver, without Payment of Duty, to the Party or Parties so applying as aforesaid, on Entry with the proper Officer of Customs, any Quantity of Foreign Sugar, or of Sugar the Produce of any *British* Possession, for the Purpose of being there refined under the Locks of the Crown for Exportation only; and that all Sugars so delivered shall be lodged and secured in such Premises, under such Conditions, Regulations, and Restrictions as the said Commissioners shall from Time to Time direct; provided always, that it shall be lawful for the said Commissioners, by their Order, to revoke or alter any former Order of Approval of any such Premises.

XLIV. And be it enacted, That upon the Entry of the Sugar to be refined in any Premises approved of under the Authority of this Act, the Refiner on whose Premises the same is to be refined shall give Bond to the Satisfaction of the Officers of the Customs, in the Penalty of Double the Amount of the Duty payable upon a like Quantity of Sugar of the *British* Plantations, with a Condition that the whole of such Sugar shall be actually subjected to the Process of Refinement upon the said Premises, and that within Four Months from the Date of such Bond the whole of the refined Sugar and Treacle produced by such Process shall be either duly exported from the said Premises or delivered into an approved Bonded Warehouse, under the Locks of the Crown, for the Purpose of being eventually exported to Foreign Parts.

XLV. And whereas some Sorts of Goods are liable in Time to Decrease, and some to Increase, and some to Fluctuation of Quantity, by the Effect of the Atmosphere and other natural Causes, and it may be necessary in some Cases that the Duties should not be charged upon the Deficiency arising from such Causes; be it therefore enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to make Regulations for ascertaining the Amount of such Decrease or Increase of the Quantity of any particular Sorts of Goods, and to direct in what Proportion any Abatement of Duty payable under this Act for Deficiencies (1) shall be made on account of

(1) See §§ 21, 22, 23.

any such Decrease : Provided always, that if such Goods be lodged in Warehouses of special Security, or declared in the Order of Appointment to be of special Security, no Duty shall be charged for any Amount whatever of Deficiency of any of such Goods on the Exportation thereof, except in Cases where Suspicion shall arise that Part of such Goods has been clandestinely conveyed away, nor shall any such Goods (unless they be Wine or Spirits) be measured, counted, weighed, or gauged for Exportation, except in such Cases of Suspicion.

No Duty on Deficiency of Goods exported from Warehouses declared of special Security.

XLVI. Provided always, and be it enacted, That for any Wine, Spirits, Coffee, Cocoa Nuts, or Pepper, lodged in Warehouses not being or being declared to be of special Security, the following Allowances for natural Waste, in proportion to the Time during which any such Goods shall have remained in the Warehouse, shall be made upon the Exportation thereof, according as such Allowances are herein-after respectively set forth ; (that is to say,)

Allowances for natural Waste of Wine, Spirits, &c. in Warehouses not of special Security, on Exportation.

Wine, upon every Cask ; (*videlicet*,)

For any Time not exceeding One Year, One Gallon :

For any Time exceeding One Year and not exceeding Two Years, Two Gallons :

For any Time exceeding Two Years, Three Gallons :

Spirits, upon every One hundred Gallons Hydrometer Proof ; (*videlicet*,)

For any Time not exceeding Six Months, One Gallon :

For any Time exceeding Six Months and not exceeding Twelve Months, Two Gallons :

For any Time exceeding Twelve Months and not exceeding Eighteen Months, Three Gallons :

For any Time exceeding Eighteen Months and not exceeding Two Years, Four Gallons :

For any Time exceeding Two Years, Five Gallons :

Coffee, Cocoa Nuts, Pepper, for every One hundred Pounds, and so in proportion for any less Quantity, Two Pounds.

XLVII. And be it enacted, That in case it shall at any Time happen that any Embezzlement, Waste, Spoil, or Destruction shall be made of or in any Goods or Merchandize which shall be warehoused in Warehouses under the Authority of this Act, by or through any wilful Misconduct of any Officer or Officers of Customs or Excise, such

In case of Embezzlement and Waste through Misconduct of Officers, Damages to be made good to the Proprietor.

Officer or Officers shall be deemed guilty of a Misdemeanor, and shall upon Conviction suffer such Punishment as may be inflicted by Law in Cases of Misdemeanor; and if such Officer shall be so prosecuted to Conviction by the Importer, Consignee, or Proprietor of the Goods or Merchandize so embezzled, wasted, spoiled, or destroyed, then and in such Case no Duty of Customs or Excise shall be payable for or in respect of such Goods or Merchandize so embezzled, wasted, spoiled, or destroyed, and no Forfeiture or Seizure shall take place of any Goods and Merchandize so warehoused in respect of any Deficiency caused by such Embezzlement, Waste, Spoil, or Destruction, and the Damage occasioned by such Embezzlement, Waste, Spoil, or Destruction of such Goods or Merchandize, not being occasioned by Fire, shall be repaid and made good to such Importer, Consignee, or Proprietor, by the Commissioners of Customs or Excise, under such Orders, Regulations, and Directions as shall be for that Purpose made and given by the Commissioners of Her Majesty's Treasury, or any Three of them.

On Entry Outwards, Bond for due shipping and landing shall be given.

XLVIII. And whereas it is expedient to make Regulations for the exporting of such Goods to Parts beyond the Seas as have been imported into the United Kingdom from Parts beyond the Seas, and warehoused without Payment of any Duty on the Importation thereof, or notwithstanding that the same may be prohibited to be used in the United Kingdom; be it therefore enacted, That upon the Entry Outwards of any Goods to be exported from the Warehouse to Parts beyond the Seas (1), and before Cocket (2) be granted, the Person in whose Name the same shall be entered shall give Security by Bond in Double the Amount of Duty payable by Law upon the Importation of such Goods, with One sufficient Surety, that such Goods shall be duly shipped and exported, and shall be landed at the Place for which they be entered Outwards, or otherwise accounted for to the Satisfaction of the Commissioners of Her Majesty's Customs. (3)

Goods removed from Warehouse

XLIX. And be it enacted, That all Goods taken from the Warehouse for Removal or for Exportation shall be

(1) As to Tonnage of exporting Ship, see § 50.

(2) As to Entry and Cocket, see Cap. 86. § 70.

(3) Goods shipped as Merchandize cannot be used as Stores. See § 19.

removed, or shall be carried to be shipped, under the Care or with the Authority or Permission of the proper Officer of Customs, and in such Manner, and by such Persons, and within such Spaces of Time, and by such Roads or Ways, as the proper Officer of Customs shall authorize, permit, or direct, and all such Goods not so removed or carried shall be forfeited.

for Shipment
under Care of
Customs Offi-
cers.

L. And be it enacted, That it shall not be lawful for any Person to export any Goods so warehoused, nor to enter for Exportation to Parts beyond the Seas any Goods so warehoused, in any Ship which shall not be of the Burden of Sixty Tons or upwards.

Ships to be not
less than Sixty
Tons for ex-
porting such
Goods.

LI. And be it enacted, That all Goods or Merchandize which shall be landed in Docks, and lodged in the Custody of the Proprietors of the said Docks under the Provisions of this Act, not being Goods seized as forfeited to Her Majesty, shall when so landed continue and be subject or liable to such and the same Claim for Freight in favour of the Master, Owner or Owners, of the respective Ships or Vessels, or of any other Person or Persons interested in the Freight of the same, from or out of which such Goods or Merchandize shall be so landed, as such Goods, Wares, or Merchandize respectively were subject and liable to whilst the same were on board such Ships or Vessels, and before the landing thereof; and the Directors and Proprietors of any such Docks at or in which any such Goods or Merchandize may be landed and lodged as aforesaid, or their Servants or Agents, or any of them, shall and may, and they are hereby authorized, empowered, and required, upon due Notice in that Behalf given to them by such Master or Masters, Owner or Owners, or other Persons as aforesaid, to detain and keep such Goods and Merchandize, not being seized as forfeited to Her Majesty, in the Warehouses belonging to the said Docks as aforesaid, until the respective Freight to which the same shall be subject and liable as aforesaid shall be duly paid or satisfied, together with the Rates and Charges to which the same shall have been subject and liable, or until a Deposit shall have been made by the Owner or Owners or Consignee or Consignees of such Goods or Merchandize, equal in Amount to the Claim or Demands made by the Master, Owner or Owners, of the respective Ships or Vessels or other Persons as aforesaid, for or on account of Freight

Goods landed
in Docks liable
to Claims for
Freight as
before landing.

upon such Goods or Merchandize, which Deposit the said Directors or Proprietors of such Docks, or their Agents respectively, are hereby authorized and directed to receive and hold in Trust, until the Claim or Demand for Freight upon such Goods shall have been satisfied, upon Proof of which, and Demand made by the Person or Persons, their Executors, Administrators, or Assigns, by whom the said Deposit shall have been made, and the Rates and Charges due upon the said Goods being first paid, the said Deposit shall be returned to him or them by the said Directors or Proprietors, or their Agents on their Behalf, with whom the said Deposit shall have been made as aforesaid.

Alteration of
Act.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. XCII.

An Act to grant certain Bounties and Allowances
of Customs. [4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act to grant certain Bounties and Allowances of Customs*, 3 & 4 W.4. c. 58. whereby the Laws of Customs in relation to Bounties and Allowances of Customs were consolidated: And whereas, since the passing of the said Act, divers Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Act and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation, for all the Purposes mentioned therein, except where any other Commencement is herein particularly directed.

Commence-
ment of Act.

II. And be it enacted, That so long as the Duties due and payable upon the Importation of Sugar shall be continued there shall be allowed upon the Exportation of Refined Sugar made (1) in the United Kingdom the

Bounties allow-
ed upon the
Exportation of
Refined Sugar.

(1) See Provisions for refining Sugar in approved Places, Cap. 91. §§ 42, 43, 44.

several Bounties set forth in the Table herein-after contained ; (that is to say,)

	£	s.	d.
Upon Double Refined Sugar, or Sugar equal in Quality to Double Refined (1), for every Hundred Weight - - -	1	0	0
Upon other Refined Sugar, in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crashed, or broken (2), and Sugar Candy, for every Hundred Weight	0	17	0
Upon Bastard or Refined Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded, crashed, or broken, for every Hundred Weight - - -	0	14	0

Bond to be given for the due Exportation.

III. And be it enacted, That the Exporter of any Goods in respect of which any Bounty is claimed under this Act, or the Person in whose Name the same are entered Outwards, shall at the Time of Entry, and before Cocket be granted, give Security by Bond in double the Amount of such Bounty, with One sufficient Surety, that the same shall be duly exported to the Place for which they are entered, or be otherwise accounted for to the Satisfaction of the Commissioners of Her Majesty's Customs, and shall not be re-landed in the United Kingdom, or landed in the *Isle of Man* unless expressly entered to be carried thereto.

Candy in Packages of Half Hundred Weight.

IV. And be it enacted, That no Bounty shall be given upon the Exportation of any Refined Sugar called Candy unless it be properly refined and manufactured, and free from Dirt and Scum, and packed in Packages each of which shall contain Half a Hundred Weight of such Candy at the least.

Sugar crashed for Exportation.

V. And be it enacted, That if any Sugar in Lumps or Loaves is to be pounded, crashed, or broken before the same be exported for the Bounty payable thereon, such Lumps or Loaves shall, after due Entry thereof, be lodged in some Warehouse provided by the Exporter, and approved by the Commissioners of Her Majesty's Customs

(1) See § 7.

(2) See §§ 5 and 6.

for such Purpose, to be then first examined by the Officers of Customs while in such Lumps or Loaves as if for immediate Shipment, and afterwards to be there pounded, crashed, or broken, and packed for Exportation in the Presence of such Officers and at the Expence of the Exporter; and such Sugar shall be kept in such Warehouse, and be removed from thence for Shipment, and be shipped under the Care and in the Charge of the Searchers, in order that the Shipment and Exportation thereof may be duly certified by them upon the Debenture, according to the Quality ascertained by them of the same while in such Lumps or Loaves.

VI. And be it enacted, That the different Sorts of such Sugar shall be kept apart from each other, in such Manner and in such distinct Rooms or Divisions of such Warehouse as shall be directed and appointed by the Commissioners of Her Majesty's Customs; and if any Sort of such Sugar shall be found in any Part of such Warehouse appointed for the keeping of Sugar of a Sort superior in Quality thereto the same shall be forfeited; and if any Sort of such Sugar shall be brought to such Warehouse to be pounded, crashed, or broken, which shall be of a Quality inferior to the Sort of Sugar expressed in the Entry for the same, such Sugar shall be forfeited.

Different Sorts of crashed Sugar to be kept separate.

VII. And be it enacted, That there shall be provided by and at the Expence of the Committee of Sugar Refiners in *London*, and in like Manner by and at the Expence of the Committee of Merchants in *Dublin*, as many Loaves of Double Refined Sugar prepared in manner herein-after directed, and as many Loaves or Lumps of Sugar made upon the Patent Principle, and equal in Quality to Double Refined Sugar, as the Commissioners of Her Majesty's Customs shall think necessary; which Loaves or Lumps, when approved of by the said Commissioners, shall be deemed and taken to be Standard Samples; one of which Loaves or Lumps shall be lodged with the said Committees respectively, and one other with such Person or Persons as the said Commissioners shall direct, for the Purpose of comparing therewith Double Refined Sugar, or Sugar equal in Quality to Double Refined Sugar, entered for Exportation for the Bounty; and fresh Standard Samples shall in like Manner be again furnished by such Committees respectively, and in like

Sample Loaves to be provided.

Proviso for
Double Refined
Sugar.

Manner lodged, whenever it may be deemed expedient by the said Commissioners: Provided always, that no Loaf of Sugar shall be deemed to be a proper Sample Loaf of Double Refined Sugar as aforesaid, if it be of greater Weight than Fourteen Pounds, nor unless it be a Loaf complete and whole, nor unless the same shall have been made by a distinct Second Process of Refinement from a Quantity of Single Refined Sugar, every Part of which had first been perfectly clarified and duly refined, and had been made into Loaves or Lumps which were of an uniform Whiteness throughout, and had been thoroughly dried in the Stove: Provided also, that no Loaf or Lump of Sugar shall be deemed to be a proper Sample Loaf or Lump of Sugar equal to Double Refined, unless it be a Loaf or Lump complete, nor unless the same shall have been prepared after the Patent Principle.

Proviso for
Patent Sugar.

Sugar entered
not equal to the
Standard shall
be forfeited.

VIII. And be it enacted, That in case any Sugar which shall be entered in order to obtain the Bounty on Double Refined Sugar or Sugar equal in Quality to Double Refined Sugar shall, on Examination by the proper Officer, be found to be of a Quality not equal to such Standard Sample, all Sugar so entered shall be forfeited and may be seized.

Alteration of
Act.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. XCIII.

An Act to regulate the Trade of *British* Possessions abroad. [4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act to regulate the Trade of the British Possessions abroad*, 3 & 4 W. 4. c. 59. whereby the Laws of Customs in relation to the Trade of the *British* Possessions abroad were consolidated: And whereas since the passing of the said Act divers Acts and Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of Advantage to the Trade and Commerce of the Country that the said Acts and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force for all the Purposes therein mentioned, except where any other Commencement is herein particularly directed. Commence-
ment of Act.

II. And be it enacted, That no Goods shall be imported into, nor shall any Goods, except the Produce of the Fisheries in *British* Ships, be exported from any of the *British* Possessions in *America* by Sea from or to any Place other than the United Kingdom, or some other of such Possessions, except into or from the several Ports Importation and
Exportation of
Goods confined
to Free Ports.

in such Possessions, called “Free Ports,” enumerated or described in the Table following; (that is to say,)

TABLE of FREE PORTS. (1)

Kingston	-	-	-	Jamaica.
Old Harbour	-	-	-	
Savanna la Mer	-	-	-	
Black River	-	-	-	
Montego Bay	-	-	-	
St. Lucia	-	-	-	
Falmouth	-	-	-	
Rio Bueno	-	-	-	
St. Ann's	-	-	-	
Port Maria	-	-	-	
Annotto Bay	-	-	-	Barbadoes.
Port Antonio	-	-	-	
Morant Bay	-	-	-	
Port Morant	-	-	-	
Bridgetown	-	-	-	
St. John's	-	-	-	
Plymouth	-	-	-	
Basseterre	-	-	-	
Anguilla	-	-	-	
Charlestown	-	-	-	
Road Harbour	-	-	-	Trinidad.
Castries	-	-	-	
Roseau	-	-	-	
Kingstown	-	-	-	
St. George's	-	-	-	
Port of Spain	-	-	-	
San Fernando	-	-	-	
Scarborough	-	-	-	
George Town	-	-	-	
New Amsterdam	-	-	-	
Nassau	-	-	-	Bahamas.
Grand Key	-	-	-	
Pitt's Town	-	-	-	
Any Port where there is a Custom House	-	-	-	

(1) For free warehousing Ports, see § 48.

Ports St. George's and Hamilton	-	-	Bermudas.
Quebec	-	-	Canada.
Halifax	-	-	Nova Scotia.
——— Pictou	-	-	
——— Liverpool	-	-	
——— Yarmouth	-	-	
——— Lunenburg	-	-	
——— Shelburne	-	-	
——— Digby	-	-	
——— Windsor	-	-	
——— Parrsboro'	-	-	
——— Cumberland	-	-	
——— New Edinburgh	-	-	Prince Edward's Island.
——— Arichat	-	-	
——— Sydney, Cape Breton	-	-	
Charlotte Town	-	-	New Brunswick.
George Town	-	-	
St. John's	-	-	
——— Miramichi	-	-	Newfoundland.
——— Dalhousie	-	-	
St. Andrew's	-	-	
——— Magaguadavic	-	-	Newfoundland.
——— Campo Bello	-	-	
St. John's	-	-	
——— Harbour Grâce	-	-	

And if any Goods shall be imported into any Port or Place in any of the said Possessions contrary hereto, such Goods shall be forfeited (1): Provided always, that if Her Majesty shall deem it expedient to extend the Provisions of this Act to any Port or Ports not enumerated in the said Table, it shall be lawful for Her Majesty, by Order in Council, to extend the Provisions of this Act to such Port or Ports; and from and after the Day mentioned in such Order in Council all the Privileges and Advantages of this Act, and all the Provisions, Penalties, and Forfeitures therein contained, (subject nevertheless to the Limitations and Restrictions herein-after provided,) shall extend, and be deemed and construed to extend, to any such Port or Ports respectively, as fully as if the same had been inserted and enumerated in the said Table at the Time of passing this Act: Provided also, that

Her Majesty
may appoint
other Ports to
be Free Ports.

(1) As to Jurisdiction, see § 73.

Proviso for
Articles from
Guernsey, &c.
for the Fish-
eries.

nothing herein-before contained shall extend to prohibit the Importation or Exportation of Goods into or from any Ports or Places in *Newfoundland* or *Labrador* in *British Ships*: Provided also, that it shall be lawful to import from the Islands of *Guernsey* and *Jersey* in *British Ships* into any Port or Place in the *British Possessions* in *North America*, at or from whence the *British Fisheries* in *North America* are carried on, any Sort of Craft, Food, Victuals (except Spirits), and any Sort of Clothing and Implements and Materials fit and necessary for the said Fisheries, although such Port or Place be not a Free Port.

Her Majesty
may appoint
Ports for limited
Purposes.

III. And whereas there are in the said Possessions many Places situated in Rivers and in Bays at which it may be necessary to establish Ports for particular and limited Purposes only; be it therefore enacted, That it shall be lawful for Her Majesty, in any Order in Council made for the Appointment of any Free Port, to limit and confine such Appointments respectively to any and such Purposes only as shall be expressed in such Order.

Limitation of
the Privileges of
Foreign Ships.

IV. And whereas by the Law of Navigation (1) Foreign Ships are permitted to import into any of the *British Possessions* in *Asia*, *Africa*, or *America*, from the Countries to which they belong (2), Goods the Produce of those Countries, and to export Goods from such Possessions to be carried to any Foreign Country whatever: And whereas it is expedient that such Permission should be subject to certain Conditions; be it therefore enacted, That the Privileges thereby granted to Foreign Ships shall be limited to the Ships of those Countries which, having Colonial Possessions, shall grant the like Privileges of trading with those Possessions to *British Ships*, or which, not having Colonial Possessions, shall place the Commerce and Navigation of this Country, and of its Possessions abroad, upon the Footing of the most favoured Nation, unless Her Majesty, by Her Order in Council, shall in any Case deem it expedient to grant the whole or any of such Privileges to the Ships of any Foreign

(1) See Cap. 88. § 11.

(2) See Cap. 88. § 16. as to what constitutes a Ship of any particular Country.

Country, although the Conditions aforesaid shall not in all respects be fulfilled by such Foreign Country: Provided always, that no Foreign Country shall be deemed to have fulfilled the before-mentioned Conditions, or to be entitled to the Privileges aforesaid, unless and until Her Majesty shall, by some Order or Orders by Her made or to be made by the Advice of Her Privy Council, have declared that such Foreign Country hath so fulfilled the said Conditions, and is entitled to the said Privileges.

V. And be it enacted, That nothing contained in this Act, or any other Act passed in the present Session of Parliament, shall extend to repeal or in any way alter or affect an Act passed in the Fourth Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Foreign Vessels from Pilotage* (1), nor to repeal or in any way alter or affect an Act passed in the Fifth Year of the Reign of His said late Majesty, among other things, to amend the last-mentioned Act; and that all Trade and Intercourse between the *British Possessions* and all Foreign Countries shall be subject to the Powers granted to His said late Majesty by those Acts.

This Act not to affect 4 G. 4. c. 77. and 5 G. 4. c. 1. for regulating the Trade of Foreign Ships.

VI. And be it enacted, That the several Sorts of Goods enumerated or described in the Table following, denominated "A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by Sea or by Inland Carriage or Navigation, into the *British Possessions in America* or the *Mauritius*, or shall be so imported or brought only under the Restrictions mentioned in such Table, according as the several Sorts of such Goods are set forth therein; (that is to say,)

Establishing Prohibitions as per Table.

A TABLE OF PROHIBITIONS AND RESTRICTIONS.

Gunpowder,

Ammunition, Arms, or Utensils of War,

[Prohibited to be imported, except from the United Kingdom, or from some other *British Possession*.]

(1) See these Acts in the Appendix.

Coffee	-	-	{	Being the Produce or Manufacture of any <i>British</i> Possession within the Limits of the <i>East India</i> Company's Charter (except and subject as herein-after is provided), or, being of Foreign Produce or Manufacture,
Sugar (not being refined in Bond in the United Kingdom)	-	-		
Molasses	-	-		
Rum	-	-		

[Prohibited to be imported into any of the *British* Possessions on the Continent of *South America* or in the *West Indies* (the *Bahama* and *Bermuda* Islands not included), or into the *Mauritius*, except to be warehoused for Exportation only, and may also be prohibited to be imported into the *Bahama* or *Bermuda* Islands by Her Majesty's Order in Council.]

Base or Counterfeit Coin,

[Prohibited to be imported.]

Goods imported contrary hereto forfeited.

And if any Goods shall be imported or brought into any of the *British* Possessions in *America* or the *Mauritius* contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited; and if the Ship or Vessel in which such Goods shall be imported be of less Burden than Sixty Tons, such Ship or Vessel shall also be forfeited. (1)

Coffee, Sugar, and Rum may be imported into the *British* Possessions in the *West Indies* and *South America* and the *Mauritius* in certain Cases.

VII. Provided always, and be it enacted, That it shall be lawful to import into any *British* Possessions in the *West Indies* and *South America*, and into the *Mauritius*, any Coffee the Produce of any *British* Possessions within the Limits of the *East India* Company's Charter, and also any Sugar the Produce of any *British* Possession within the Limits of the *East India* Company's Charter into which the Importation of Sugar the Produce of any Foreign Country, or of any *British* Possession into which Foreign Sugar may be legally imported, has been prohibited, and also any Rum the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, into which the Importation of Rum the Produce of any Foreign Country, or of any *British* Possession into which Foreign Sugar or Rum may be legally imported, has been prohibited: Provided nevertheless, that no such Coffee,

(1) As to Jurisdiction, see § 73.

Sugar, or Rum shall be entered in any *British Possession* in the *West Indies* or *South America*, or in the Island of *Mauritius*, as being the Produce of any *British Possession* within the Limits of the *East India Company's* Charter, from which the same may be so legally imported, unless the Master of the Ship importing the same shall have delivered to the Collector or principal Officer of the Customs at the Port of Importation such Certificate of Origin as herein-after is mentioned, under the Hand and Seal of the proper Officer at the Place where the same shall have been taken on board; and such Master shall also make and subscribe a Declaration before the proper Officer of the Customs that such Certificate was received by him at the Place where such Coffee, Sugar, or Rum was taken on board, and that the Coffee, Sugar, or Rum so imported is the same as is mentioned therein; and such Certificate of Origin shall, as regards Coffee, certify that a Declaration in Writing had been made and signed before the Officer giving such Certificate, the Contents of which he believed to be true, by the Shipper of such Coffee, that the same was really and *bonâ fide* the Produce of some *British Possession*; and such Certificate of Origin shall, as respects Sugar, state the Name of the District in which such Sugar was produced, the Quantity and Quality thereof, the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they were laden, and of the Master thereof, and the Officer giving the same; the Shipper of such Sugar shall likewise certify that there had been produced a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Sugar was produced, that such Sugar was of the Produce of such District, and that the Importation into such District of Foreign Sugar, or Sugar the Growth of any *British Possession* into which Foreign Sugar can be legally imported, is prohibited; and such Certificate of Origin shall, as respects Rum, state the Name of the District in which such Rum was produced, the Quantity and Strength thereof, the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they were laden, and of the Master thereof, and shall also testify that there had been produced to the Party giving such Certificate, by the Shipper of such Rum, a Certificate under the Hand and

Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Rum was produced, that the same was the Production of such District.

Coffee, &c.,
though British,
deemed Foreign
in certain Cases.

VIII. And be it enacted, That all Coffee, Sugar, Molasses, and Rum (although the same may be of *British* Plantations) exported from any of the *British* Possessions in *America*, into which the like Goods of Foreign Production can be legally imported, shall upon subsequent Importation from thence into any of the *British* Possessions in *America* or the *Mauritius*, into which such Goods, being of Foreign Production, cannot be legally imported, or into the United Kingdom, be deemed to be of Foreign Production, and shall be liable, on such Importation respectively, to the same Duties or the same Forfeitures as Articles of the like Description, being of Foreign Production, would be liable to, unless the same shall have been warehoused under the Provisions of this Act (1), and exported from the Warehouse direct to such other *British* Possession, or to the United Kingdom, as the Case may be.

Foreign Re-
prints of Books
under Copy-
right pro-
hibited.

IX. And be it enacted, That any Books wherein the Copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, shall be and are hereby absolutely prohibited to be imported into the *British* Possessions abroad: Provided always, that no such Books shall be prohibited to be imported as aforesaid unless the Proprietor of such Copyright, or his Agent, shall have given Notice in Writing to the Commissioners of Customs that such Copyright subsists, and in such Notice shall have stated when the Copyright will expire; and the said Commissioners shall cause to be made, and to be publicly exposed at the several Ports in the *British* Possessions abroad, from Time to Time, printed Lists of Books respecting which such Notice shall have been duly given, and all Books imported contrary thereto shall be forfeited.

Foreign Manu-
factures with
British Marks.

X. And be it enacted, That if any Articles of Foreign Manufacture, and any Packages of such Articles bearing any Names, Brands, or Marks of Manufacturers resident

(1) See these Provisions; §§ 49. to 60.

in the United Kingdom, shall be imported into any of the *British Possessions* abroad, the same shall be forfeited.

XI. And be it enacted, That there shall be raised, levied, collected, and paid unto Her Majesty the several Duties of Customs, as the same are respectively set forth in Figures in the Table of Duties herein-after contained, upon Goods, Wares, and Merchandize not being the Growth, Production, or Manufacture of the United Kingdom, or of any of the *British Possessions* in *America*, or of the *Mauritius*, or of any of the *British Possessions* within the Limits of the *East India Company's Charter*, or the Produce of any of the *British Fisheries* imported or brought into any of the *British Possessions* in *America* or the *Mauritius*, by Sea or Inland Carriage or Navigation. (1)

Import Duties imposed.

TABLE OF DUTIES.

	s.	d.
Wheat Flour - - the Barrel of 196 lbs.	2	0
Fish of Foreign taking { dried or salted - the Cwt.	2	0
or curing { pickled - the Barrel	4	0
Meat, salted or cured . - - the Cwt.	3	0
Butter - - - - -	8	0
Cheese - - - - -	5	0
Coffee - - - - -	5	0
Cocoa - - - - -	1	0
Molasses - - - - -	3	0
Sugar, unrefined - - - - -	5	0
Refined Sugar, the Produce of and } 20 per Centum refined in Foreign Countries (2) } ad valorem.		
Tea, unless imported direct from China, or unless imported from the United Kingdom, or from any of the British Possessions - }	- per lb.	0 1
SPIRITS:		
Rum - - - - -	per Gallon	0 6
Other Spirits and Cordials - - -	-	1 0

(1) As to Currency, Weights, Measures, &c., see § 17. As to Appropriation, see § 18. For Warehouse Regulations, see from §§ 49. to 60.
(2) As to Foreign Sugar refined in Bond, see § 13.

Glass Manufactures	-	-	} 15 per Centum ad valorem.
Silk Manufactures	-	-	
Spermaceti	-	-	
Wine, whether bottled or not	-	-	} 7 per Centum ad valorem.
Cotton Manufactures	-	-	
Linen Ditto	-	-	
Woollen Ditto	-	-	
Leather Ditto	-	-	
Paper Ditto	-	-	
Hardware	-	-	
Clocks and Watches	-	-	} 15 per Centum ad valorem.
Manufactured Tobacco	-	-	
Soap	-	-	
Candles other than Spermaceti	-	-	
Corks, Cordage, and Oakum	-	-	
Oil, Blubber, Fins, and Skins, the Produce of Fish and Creatures living in the Sea, of Foreign Fish- ing	-	-	} 4 per Centum ad valorem. (1)
Articles not enumerated, except such as are comprised or referred to in the subjoined Table of Exemptions	-	-	
And if any of the Goods herein-before charged with Duty, except Sugar, shall be imported through the United Kingdom, (having been warehoused therein, and being ex- ported from the Warehouse, or the Duties thereon, if there paid, having been drawn back,)	-	-	} Such Goods shall only be charg- ed with Three Fourths of the Duties herein- before imposed.
	-	-	

TABLE OF EXEMPTIONS.

- Coin, Bullion, and Diamonds.
- Horses, Mules, Asses, neat Cattle, and all other
Live Stock.
- Hay and Straw.
- Tallow and raw Hides.
- Salt.
- Rice.
- Corn and Grain unground.
- Biscuit or Bread.
- Meal or Flour, except Wheat Flour.

(1) Any of these Articles may be exempted from Duty by Order in Council. See § 16.

Fresh Meat.

Fresh Fish.

Fruit and Vegetables, fresh.

Carriages of Travellers.

Wood and Lumber.

Cotton Wool.

Hemp, Flax, and Tow.

Drugs.

Gums and Resins.

Tortoiseshell.

Manures of all Kinds.

Specimens illustrative of Natural History.

Herrings taken and cured by the Inhabitants of the Isle of Man, and imported from thence.

Tea imported direct from China or from the United Kingdom, or from any British Possession.

Provisions and Stores of every Description imported or supplied for the Use of Her Majesty's Land and Sea Forces.

All Goods imported from the United Kingdom after having there paid the Duties of Consumption, and imported from thence without Drawback.

And also such of the following Articles, (namely,)

Salted or cured Meat,

Flour,

Butter,

Cheese,

Molasses,

Corkwood,

Cordage,

Oakum,

Pitch,

Tar,

Turpentine,

Leather and Leather-ware,

Fisherman's Clothing and

Hosiery,

Fishing Craft, Utensils,

Instruments, and Bait,

as shall be imported for the Use of the *British* Fisheries in *America* into any Place at or from whence any such Fishery is carried on.

XII. And be it enacted, That the Commissioners of Customs, or the principal Officer of Customs at the Place of Importation shall make and establish such Regulations as may be necessary for the Purpose of ascertaining that such Articles as last aforesaid are *bonâ fide* intended to be applied to the Use of such Fisheries, or that such Provisions and Stores as aforesaid are *bonâ fide* imported or supplied for the Use of Her Majesty's Land and Sea Forces.

Commissioners
of Customs may
make necessary
Regulations.

Import Duty on
Sugar refined in
Bond.

XIII. And be it enacted, That there shall be raised, levied, collected, and paid unto Her Majesty a Duty of Ten Pounds for every One hundred Pounds of the Value upon Sugar refined in Bond in the United Kingdom, not being of the Growth of any of the *British Possessions in America* or of the *Mauritius*, or of any of the *British Possessions* within the Limits of the *East India Company's Charter*, imported into any of the *British Possessions in America* or into the *Mauritius*.

Crown Goods
sold after Im-
portation to be
charged with
Duty.

XIV. And be it enacted, That all Goods, Wares, and Merchandize, the Property of the Crown, shall, in case of the Sale thereof after Importation into any of the *British Possessions* abroad, be liable to and be charged with such and the same Duties of Customs as may by Law be payable or charged on the like Goods, Wares, and Merchandize, not being the Property of the Crown.

Duties imposed
by this Act to
be increased in
certain Cases.

XV. And be it enacted, That if in any of the *British Possessions in America* or the *Mauritius* any Duty be chargeable by any Colonial Law upon any Articles being the Growth, Produce, or Manufacture of the United Kingdom, or of the *British Possessions in America*, or the *Mauritius*, or of the *British Possessions* within the Limits of the *East India Company's Charter*, or the Produce of the *British Fisheries*, beyond the Duty (if any) chargeable by such Colonial Law upon similar Foreign Articles, a Duty equal to such Excess or Amount (as the Case may be) of the Duties so chargeable by such Colonial Law upon such *British Articles* shall be charged under this Act upon such Foreign Articles, in addition to the Imperial Duties (if any) hereby imposed thereon; and that if in any of the *British Possessions in America* or the *Mauritius* any Duty be chargeable by any Colonial Law upon Tea imported direct from *China*, or imported from the United Kingdom, or any of the *British Possessions*, beyond the Duty (if any) chargeable by such Colonial Law upon Tea not so imported, the Imperial Duty hereby imposed upon Tea not so imported shall be increased by such Excess or Amount (as the Case may be) of the Duties so chargeable by such Colonial Law upon Tea imported direct from *China*, or imported from the United Kingdom, or from any of the *British Possessions*.

XVI. And be it enacted, That it shall and may be lawful for Her Majesty, by and with the Advice of Her Privy Council, by any Order or Orders in Council to be issued from Time to Time, to direct that any Article described in such Order, being an Article chargeable under this Act as an unenumerated Article, with a Duty of Four *per Centum ad valorem*, shall be added to the List of Exemptions herein-before set forth, and shall be free from such Duty; and from and after the Time mentioned in such Order for the Commencement of such Exemption, not being less than Six Months from the Date thereof, such Exemption shall take effect, and such Article shall thenceforth, whilst such Order shall continue in force, be free from such Duty accordingly; and any such Order may at any Time be suspended or revoked by Her Majesty, with the Advice of Her Privy Council, by any other Order in Council.

Power to Her Majesty, by Order in Council, to exempt certain Articles from Duty.

XVII. And be it enacted, That all Sums of Money granted or payable under this Act as Duties, Penalties, or Forfeitures in the *British Possessions in America* or the *Mauritius* shall be deemed and are hereby declared to be Sterling Money of *Great Britain*, and shall be collected, recovered, and paid to the Amount of the Value which such nominal Sums bear in *Great Britain*, and such Money may be received and taken in Sterling Money of *Great Britain*, or in Foreign Coins at such Rates as shall be equivalent to Sterling Money of *Great Britain*, and which shall have been fixed by any Proclamation issued by Her Majesty; and all Duties under this Act shall be paid and received in every Part of the *British Possessions in America* and in the *Mauritius* according to the Imperial Weights and Measures now by Law established; and in all Cases where such Duties are imposed according to any specific Quantity or any specific Value, the same shall be deemed to apply in the same Proportion to any greater or less Quantity or Value; and all such Duties shall be under the Management of the Commissioners of Her Majesty's Customs.

Money levied under this Act to be Sterling Money of Great Britain.

Duties to be levied according to Imperial Weights and Measures.

To be under Management of Commissioners of Customs.

XVIII. And be it enacted, That the net Produce of the Duties so received by the Means and Powers of this Act shall be paid by the Collector of the Customs into the Hands of the Treasurer or Receiver General of the Colony, or other proper Officer authorized to receive the

Net Produce of Duties how to be applied.

same in the Colony in which the same shall be levied, to be applied to such Uses as shall be directed by the local Legislatures of such Colonies respectively; and that the Produce of such Duties so received as aforesaid in the Colonies which have no local Legislature shall and may be applied in such Manner as shall be directed by the Commissioners of Her Majesty's Treasury.

Goods from the Channel Islands.

XIX. And be it enacted, That Goods the Produce or Manufacture of the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, when imported from such Islands into the *British Possessions in America* or the *Mauritius*, shall be admitted to Entry upon Payment of the same Duties as are payable upon the like Goods the Produce or Manufacture of the United Kingdom, or of any of the said Possessions, upon Production to the principal Officer of Customs at the Port of Importation of the Proofs now required by Law that such Goods are the Production or Manufacture of the Islands aforesaid.

All British Vessels shall be subject to equal Duties in the Colonies, except Coasting Vessels.

XX. And whereas in some of Her Majesty's Possessions abroad certain Duties of Tonnage are, by Acts of the local Legislatures of such Possessions, made payable in respect of or are levied upon *British Vessels*, to which Duties the like Vessels built within such Possessions, or owned by Persons resident there, are not subject; be it enacted, That there shall be levied and paid at the several *British Possessions* abroad upon all Vessels built in any such Possessions, or owned by any Person or Persons there resident, other than Coasting or Droguing Vessels employed in coasting or droguing, all such and the like Duties of Tonnage and Shipping as are or shall be payable in any such Possessions upon the like *British Vessels* built in other Parts of Her Majesty's Dominions, or owned by Persons not resident in such Possessions.

Ship and Cargo to be reported on Arrival.

XXI. And be it enacted, That the Master of every Ship arriving (1) in any of the *British Possessions in America* or the *Mauritius*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, whether laden or in Ballast, shall come directly, and before Bulk be broken, to the Custom House for the Port or District where he arrives, and there make a Report in Writing to the Collector or Comptroller, or other proper Officer, of the Arrival and

Particulars of Report.

(1) As to Power of Officers to board, see § 65.

Voyage of such Ship, stating her Name, Country (1), and Tonnage, and, if *British*, the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship, and whether she be laden or in Ballast, and, if laden, the Marks, Numbers, and Contents of every Package and Parcel of Goods on board, and where the same was laden, and where and to whom consigned, and where any and what Goods, if any, had been unladen during the Voyage, as far as any such Particulars can be known to him; and the Master shall further answer all such Questions concerning the Ship and Cargo, and the Crew and the Voyage, as shall be demanded of him by such Officer; and if any Goods be unladen from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer the Questions demanded of him, he shall forfeit the Sum of One hundred Pounds, and if any Goods be not reported such Goods shall be forfeited.

Penalty for
false Report.

XXII. And be it enacted, That the Master of every Ship bound from any *British* Possession abroad, except the Territories subject to the Government of the Presidencies of *Fort William in Bengal*, *Fort Saint George*, and *Bombay*, shall, before any Goods be laden therein, deliver to the Collector or Comptroller, or other proper Officer, an Entry Outwards under his Hand of the Destination of such Ship, stating her Name, Country, and Tonnage, and, if *British*, the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship; and if any Goods be laden on board any Ship before such Entry be made the Master of such Ship shall forfeit the Sum of Fifty Pounds; and before such Ship depart, the Master shall bring and deliver to the Collector or Comptroller, or other proper Officer, a Content in Writing under his Hand of the Goods laden, and the Names of the respective Shippers and Consignees of the Goods, with the Marks and Numbers of the Packages or Parcels of the same, and shall make and subscribe a Declaration to the Truth of such Content as far as any of such Particulars can be known to him; and the Master of every Ship bound from any such Possession, whether in Ballast or laden,

Entry Outwards
of Ship for
Cargo.

Particulars of
Entry.

Penalty 50*l*.

Content of the
Cargo to be de-
livered before
Departure.

Clearance of
Ship for the
Voyage.

(1) As to what constitutes a Ship of any Country, see Cap. 88. § 16.

shall, before Departure, come before the Collector or Comptroller, or other proper Officer, and answer all such Questions concerning the Ship and the Cargo, if any, and the Crew and the Voyage, as shall be demanded of him by such Officer; and thereupon the Collector and Comptroller, or other proper Officer, if such Ship be laden, shall make out and give to the Master a Certificate of the Clearance (1) of such Ship for her intended Voyage, containing an Account of the total Quantities of the several Sorts of Goods laden therein, or a Certificate of her Clearance in Ballast, as the Case may be; and if the Ship shall depart without such Clearance, or if the Master shall deliver a false Content, or shall not truly answer the Questions demanded of him, he shall forfeit the Sum of One hundred Pounds.

Penalty for not clearing, 100*l*.

Goods not stated to be Produce of British Possession to be deemed of Foreign Production.

XXIII. And be it enacted, That no Goods shall be stated in such Certificate of Clearance of any Ship from any *British* Possession to be the Produce of such Possession unless such Goods shall have been expressly stated so to be in the Entry Outwards (2) of the same, and that all Goods not expressly stated in such Certificate of Clearance to be the Produce of such Possession shall, at the Place of Importation in any other such Possession or in the United Kingdom, be deemed to be of Foreign Production.

Clearing Officers to ascertain and certify that the Cargo of certain Ships is below Deck.

XXIV. And be it enacted, That before any Clearing Officer permits any Vessel wholly or in part laden with Timber or Wood Goods to clear out from any *British* Port in *North America*, or in the Settlement of *Honduras*, for any Port in the United Kingdom, at any Time after the First Day of *September* or before the First Day of *May* in any Year, he shall ascertain that the whole of the Cargo of such Vessel is below Deck, and shall give the Captain or other Person having Command of such Vessel a Certificate to that Effect; and no Captain or other Person having Command of any Vessel so laden as aforesaid shall sail from any of the Ports aforesaid for any Port of the United Kingdom, at any such Time as aforesaid, until he has obtained such a Certificate as aforesaid from the Clearing Officer.

Captains of such Ships not to sail without Certificate.

(1) As to the Production of this Certificate, see Cap. 86. § 36.

(2) See Entry Outwards, §§ 29. 31.

XXV. And be it enacted, That no Captain, Owner, Supercargo, or other Person having Command of any Vessel in respect of which such Certificate as aforesaid has been obtained shall place, or permit or cause to be placed or to remain or be, upon or above the Deck of such Vessel, any Part of the Cargo thereof, until such Vessel has arrived at the Port of her Destination: Provided always, that if the Captain, or other Person having Command of any such Vessel, consider that it is necessary, in consequence of the springing a Leak, or of other Damage received or apprehended during the Voyage, to remove any Portion of the Cargo upon Deck, he may remove or cause to be removed upon the Deck of such Vessel so much of the Cargo, and may permit the same to remain there for such Time as he considers expedient: Provided also, that the Store Spars or other Articles necessary for the Vessel's Use shall not be taken to be Cargo for the Purposes of this Act.

No Part of the Cargo of such Ship to be placed on Deck.

Proviso for Removal of Cargo in Cases of Leakage or Damage.

Stores not taken to be Cargo.

XXVI. And be it enacted, That if any Captain or other Person having the Command of any Vessel for which such Certificate as aforesaid is hereby required sails or attempts to sail without having obtained such Certificate, or places or permits, or causes to be placed or to remain or be, upon or above the Deck of such Vessel, any Part of the Cargo thereof, except in the Cases in which the same is not hereby forbidden, he shall for every Offence forfeit and pay any Sum not exceeding One hundred Pounds.

Penalty for Default.

XXVII. And whereas a Treaty has been concluded between Her Majesty and the United States of *America*, dated the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, whereby it is stipulated that all the Produce of the Forest in Logs, Lumber, Timber, Timber Boards, Staves, or Shingles, or of Agriculture not being manufactured, grown on any of those Parts of the State of *Maine* watered by the River *Saint John* or by its Tributaries, of which Fact reasonable Evidence shall, if required, be produced, shall have free Access into and through the said River and its said Tributaries, having their Source within the State of *Maine*, to and from the Seaport at the Mouth of the River *Saint John*, and to and round the Falls of the said River, either by Boats, Rafts, or other Conveyance; and that when within the Province of *New Brunswick* the said Produce shall be dealt with as

Certain Produce of the State of *Maine* to be treated as the Produce of *New Brunswick*.

if it were the Produce of the said Province : And whereas it is the Intention of the High Contracting Parties to the said Treaty that the aforesaid Produce should be dealt with as if it were the Produce of the Province of *New Brunswick* ; be it therefore enacted, That the Produce in the said recited Treaty and herein-before described shall, so far as regards all Laws relating to Duties, Navigation, and Customs in force in the United Kingdom, or in any of Her Majesty's Dominions, be deemed and taken to be and be dealt with as the Produce of the Province of *New Brunswick* : Provided nevertheless, that in all Cases in which Declarations and Certificates of Production or Origin and Certificates of Clearance would be required in respect of such Produce, if it were the Produce of *New Brunswick*, similar Declarations and Certificates shall be required in respect of such Produce, and shall state the same to be the Produce of those Parts of the State of *Maine* which are watered by the River *Saint John* or by its Tributaries.

Newfoundland
Fishing Certi-
ficates in lieu of
Clearance du-
ring the Fishing
Season.

XXVIII. Provided always, and be it enacted, That whenever a Ship shall be cleared out from any Port in *Newfoundland*, or in any other Part of Her Majesty's Dominions, for the Fisheries on the Banks or Coasts of *Newfoundland* or *Labrador*, or the Dependencies thereof, without having on board any Article of Traffic, (except only such Provisions, Nets, Tackle, and other Things as are usually employed in and about the said Fishery, and for the Conduct and carrying on of the same,) the Master of any such Ship shall be entitled to demand from the Collector or other principal Officer of the Customs at such Port a Certificate under his Hand that such Ship hath been specially cleared out for the *Newfoundland* Fishery, and such Certificate shall be in force for the Fishing Season for the Year in which the same may be granted, and no longer ; and upon the first Arrival in any Port in the said Colony of *Newfoundland*, or its Dependencies, of any Ship having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship to the principal Officer of Customs at such Port, and all Ships having such Certificate which has been so reported, and being actually engaged in the said Fishery, or in carrying Coastwise, to be landed or put on board any other Ships engaged in the said Fishery, any Fish, Oil, Salt, Provisions, or other Necessaries for the Use and

Purposes thereof, shall be exempt from all Obligation to make an Entry at or obtain any Clearance from any Custom House at *Newfoundland*, upon Arrival or Departure from any of the Ports or Harbours of the said Colony or its Dependencies, during the Continuance of the Fishing Season for which such Certificate may have been granted; and previously to obtaining a Clearance at the End of such Season for any Voyage at any of such Ports the Master of such Ship shall deliver up the before-mentioned Certificate to the principal Officer of the Customs of such Port: Provided always, that in case any such Ship shall have on board during the Time the same may be engaged in the said Fishery any Goods or Merchandizes whatsoever other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions, and other Things, being the Produce of or usually employed in the said Fishery, such Ship shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions, and Regulations as Ships in general are subject or liable to.

At the End of the Season the Certificate to be delivered up.

Ships trading to forfeit their Certificate.

XXIX. And be it enacted, That no Goods shall be laden or waterborne to be laden on board any Ship, or unladen from any Ship, in any of the *British Possessions* in *America* or the *Mauritius*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, until due Entry shall have been made of such Goods, and Warrant granted for the lading or unlading of the same; and that no Goods shall be so laden or waterborne, or so unladen, except at some Place at which an Officer of the Customs is appointed to attend the lading and unlading of Goods, or at some Place for which a Sufferance shall be granted by the Collector and Comptroller or other principal Officer for the lading and unlading of such Goods; and that no Goods shall be so laden or unladen except in the Presence or with the Permission in Writing of the proper Officer: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Customs to make and appoint such other Regulations for the carrying Coastwise of any Goods, or for the removing of any Goods for Shipment, as to them shall appear expedient; and that all Goods laden, waterborne, or unladen contrary to the Regulations of this Act, or contrary to any Regulations so made and appointed, shall be forfeited.

Entry of Goods to be laden or unladen.

Regulations Inwards and Outwards.

Regulations Coastwise.

Forfeiture.

Commissioners
of Customs may
declare Trade
between neigh-
bouring Colo-
nies a Coasting
Trade.

XXX. And be it enacted, That whenever it shall appear to the Commissioners of Her Majesty's Customs expedient to establish a Coasting Trade for the Removal of Goods generally, or for the Removal of any particular Goods between neighbouring Ports of different Colonies similarly circumstanced in respect of Duties in any of the *British Possessions* abroad, it shall be lawful for the said Commissioners to issue Directions for that Purpose, and from and after the Publication thereof in the Gazette, or other public Paper printed in the said Colonies to which such Coasting Trade has been extended, the same shall come into and be in full Force and Effect; and such Coasting Trade shall be subject to the like Rules, Regulations, Penalties, and Forfeitures as the said Commissioners are authorized to make for the carrying Coastwise of any Goods under the Provisions of this Act.

Particulars of
Entry of Goods
Inwards and
Outwards.

XXXI. And be it enacted, That the Person entering any Goods shall deliver to the Collector or Comptroller or other proper Officer a Bill of the Entry thereof, fairly written in Words at Length, containing the Name of the Exporter or Importer, and of the Ship and of the Master, and of the Place to or from which bound, and of the Place within the Port where the Goods are to be laden or unladen, and the Particulars of the Quality and Quantity of the Goods, and the Packages containing the same, and the Marks and Numbers on the Packages, and setting forth whether such Goods be the Produce of the *British Possessions* in *America* or not (1), and shall also deliver at the same Time One or more Duplicates of such Bill, in which all Sums and Numbers may be expressed in Figures; and the Particulars to be contained in such Bill of Entry shall be written and arranged in such Form and Manner, and the Number of such Duplicates shall be such, as the Collector or other principal Officer shall require, and such Person shall at the same Time pay down all Duties (2) due upon the Goods; and the Collector and Comptroller or other proper Officer shall thereupon grant their Warrant for the lading or unlading of such Goods.

(1) See Certificate of Clearance, §§ 22, 23.

(2) Except in case of Warehousing. See § 49.

XXXII. Provided always, and be it enacted, That where there is no Collector or Comptroller or Officer of Customs at the Port or Place of Shipment of such Goods, then the principal Civil Officer in the Service of Her Majesty at such Place, or his sufficient Representative, shall be deemed and taken to be the proper Officer for the Performance of all such Duties with respect to such Goods as are hereby required to be performed by the Collector or other Officer or Officers of Customs.

If no Officer of Customs resident at the Port of Shipment, Certificate by whom to be granted.

XXXIII. And be it enacted, That if the Importer of any Goods shall make and subscribe a Declaration before the Collector or Comptroller or other proper Officer that he cannot, for Want of full Information, make perfect Entry thereof, it shall be lawful for the Collector and Comptroller or other proper Officer to receive an Entry by Bill of Sight for the Packages or Parcels of such Goods by the best Description which can be given, and to grant a Warrant thereupon, in order that the same may be landed and secured to the Satisfaction of the Officer of the Customs, and at the Expence of the Importer, and may be seen and examined by such Importer in the Presence of the proper Officers; and within Three Days after the Goods shall have been so landed the Importer shall make a perfect Entry thereof, and pay down all Duties due thereon (1), and in default of such Entry such Goods shall be taken to the Queen's Warehouse (2); and if the Importer shall not, within One Month after such landing, make perfect Entry of such Goods, and pay the Duties due thereon, together with Charges of Removal and Warehouse Rent, such Goods shall be sold for the Payment thereof, and the Overplus (if any) shall be paid to the Proprietor of the Goods.

Entry Inwards by Bill of Sight.

Within Three Days after landing of Goods perfect Entry to be made and Duties paid.

XXXIV. And be it enacted, That in all Cases where the Duties imposed by this Act upon the Importation of Articles into Her Majesty's Possessions in *America* or the *Mauritius* are charged not according to the Weight, Tale, Gauge, or Measure, but according to the Value thereof, such Value shall be ascertained by the Declaration of the

Goods subject to ad valorem Duty.

Value to be declared on Entry.

(1) Except in case of Warehousing. See § 49.

(2) The Queen's Warehouse is any Place provided by the Crown for securing Goods, &c.. See Cap. 86. § 127.

Importer of such Articles, or his known Agent, in manner and form following; (that is to say,)

‘ I *A. B.* do hereby declare, That the Articles mentioned in the Entry, and contained in the Packages [*here specifying the several Packages, and describing the several Marks and Numbers, as the Case may be*], are of the Value of

‘ Witness my Hand the Day of

‘ *A. B.*

‘ The above Declaration signed the Day of in the Presence of *C. D.*, Collector [*or other principal Officer*].’

Which Declaration shall be written on the Bill of Entry of such Articles, and shall be subscribed with the Hand of the Importer thereof, or his known Agent, in the Presence of the Collector or other principal Officer of the Customs at the Port of Importation; provided that if upon View and Examination of such Articles by the proper Officer of the Customs it shall appear to him that the said Articles are not valued according to the true Price or Value thereof, and according to the true Intent and Meaning of this Act, then and in such Case the Importer or his known Agent shall be required to declare on Oath before the Collector or Comptroller what is the Invoice Price of such Articles, and that he verily believes such Invoice Price is the current Value of the Articles at the Place from whence the said Articles were imported; and such Invoice Price, with the Addition of Ten Pounds *per Centum* thereon, shall be deemed to be the Value of the Articles, in lieu of the Value so declared by the Importer or his known Agent, and upon which the Duties imposed by this Act shall be charged and paid: Provided also, that if it shall appear to the Collector and Comptroller or other proper Officer that such Articles have been invoiced below the real and true Value thereof at the Place from whence the same were imported, or if the Invoice Price is not known, the Articles shall in such Case be examined by Two competent Persons, to be nominated and appointed by the Governor or Commander-in-Chief of the Colony, Plantation, or Island into which the said Articles are imported; and such Persons shall declare on Oath before the Collector or Comptroller or other proper Officer what is the true and real Value of such Articles in such Colony,

Mode of Proceeding if the Goods be undervalued.

Proof of Invoice Price.

If necessary, Two Persons may be nominated to fix the Price.

Plantation, or Island; and the Value so declared on the Oaths of such Persons shall be deemed to be the true and real Value of such Articles, and upon which the Duties imposed by this Act shall be charged and paid.

XXXV. And be it enacted, That if the Importer of such Articles shall refuse to pay the Duties hereby imposed thereon, it shall and may be lawful for the Collector or other Chief Officer of the Customs where such Articles shall be imported, and he is hereby required, to take and secure the same, with the Casks or other Package thereof, and to cause the same to be publicly sold within the Space of Twenty Days at the most after such Refusal made, and at such Time and Place as such Officer shall, by Four or more Days public Notice, appoint for that Purpose, which Articles shall be sold to the best Bidder; and the Money arising from the Sale thereof shall be applied in the first place in Payment of the said Duties, together with the Charges that shall have been occasioned by the said Sale, and the Overplus, if any, shall be paid to such Importer or Proprietor, or any other Person authorized to receive the same.

If Importer refuse to pay such Duty, the Goods may be sold.

XXXVI. And be it enacted, That every Importer of any Goods shall, within Twenty Days after the Arrival of the importing Ship, make due Entry Inwards of such Goods, and land the same; and in default of such Entry and Landing it shall be lawful for the Officers of the Customs to convey such Goods to the Queen's Warehouse; and if the Duties due upon such Goods be not paid within Three Months after such Twenty Days shall have expired, together with all Charges of Removal and Warehouse Rent, the same shall be sold, and the Produce thereof shall be applied first to the Payment of Freight and Charges, next of Duties, and the Overplus, if any, shall be paid to the Proprietor of the Goods, or any other Person authorized to receive the same.

If Goods be not entered in Twenty Days, the Officer may land and secure them.

If Duties be not paid within Three Months, Goods to be sold.

XXXVII. And be it enacted, That every Act, Matter, or Thing required by any Law at any Time in force to be done or performed by, to, or with the Collector and Comptroller of Customs in any of Her Majesty's Possessions abroad shall and may be done or performed at such Ports or Places where there is no Comptroller of Customs by, to, or with the Collector or other principal Officer of Customs; and

In Places where there is no Comptroller of Customs Acts done by Collector or principal Officer alone to be valid.

every such Act, Matter, or Thing so done or performed by, to, or with such Collector or other principal Officer of Customs shall be as valid and effectual in Law as if the same had been done and performed by, to, or with any Collector and Comptroller of Customs under any Law now in force or hereafter to be made.

Goods imported from United Kingdom or from British Possessions must appear in Cocket, &c.

XXXVIII. And be it enacted, That no Goods shall be imported into any *British* Possession as being imported from the United Kingdom, or from any other *British* Possession (if any Advantage attach to such Distinction), unless such Goods appear upon the Cockets (1) or other proper Documents for the same to have been duly cleared Outwards at the Port of Exportation in the United Kingdom, or in such other *British* Possession, nor unless the Ground upon which such Advantage be claimed be stated in such Cocket or Document.

Goods when to be deemed of the Growth of United Kingdom, &c.

XXXIX. And be it enacted, That no Goods shall, upon Importation into any of the *British* Possessions in *America* or the *Mauritius*, be deemed to be of the Growth, Production, or Manufacture of the United Kingdom, or of any *British* Possession in *America* or the *Mauritius* respectively, unless imported from the United Kingdom, or from some *British* Possession in *America* or the *Mauritius* respectively.

Entry not to be valid if Goods be not properly described in it.

XL. And be it enacted, That no Entry nor any Warrant for the landing of any Goods, or for the taking of any Goods out of any Warehouse, shall be deemed valid, unless the Particulars of the Goods and Packages in such Entry shall correspond with the Particulars of the Goods and Packages purporting to be the same in the Report of the Ship, or in the Certificate or other Document, where any is required, by which the Importation or Entry of such Goods is authorized, nor unless the Goods shall have been properly described in such Entry by the Denominations and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported; and any Goods taken or delivered out of any Ship or out of any Warehouse by virtue of any Entry or Warrant not corresponding or agreeing in all such

(1) See Cap. 86. § 70.

respects, or not properly describing the same, shall be deemed to be Goods landed or taken without due Entry thereof, and shall be forfeited.

XLI. And be it enacted, That before any Sugar, Coffee, Cocoa, or Spirits shall be shipped for Exportation in any *British Possession in America*, or in the Island of *Mauritius*, as being the Produce of such Possession or of the said Island, the Proprietor of the Estate on which such Goods were produced, or his known Agent, shall make and sign a Declaration in Writing before the Collector, Comptroller, or other Officer of Customs at the Port of Exportation, or before One of Her Majesty's Justices of the Peace residing in or near the Place where such Estate is situated, declaring that such Goods are the Produce of such Estate; and such Declaration shall set forth the Name of the Estate, and the Description and Quantity of the Goods, and the Packages containing the same, with the Marks and Numbers thereon, and the Name of the Person to whose Charge at the Place of Shipment they are to be sent; and if any Justice of the Peace or other Officer aforesaid shall subscribe his Name to any Writing purporting to be such a Declaration, unless the Person purporting to make the same shall actually appear before him, and shall declare to the Truth of the same, such Justice of the Peace or Officer aforesaid shall forfeit and pay for any such Offence the Sum of Fifty Pounds; and the Person entering and shipping such Goods shall deliver such Declaration to the Collector or Comptroller or other proper Officer, and shall make and subscribe a Declaration before him that the Goods which are to be shipped by virtue of such Entry are the same as are mentioned in such first-mentioned Declaration; and the Master of the Ship in which such Goods shall be laden shall, before Clearance, make and subscribe a Declaration before the Collector or Comptroller or other proper Officer that the Goods shipped by virtue of such Entry are the same as are mentioned and intended in such first-mentioned Declaration, to the best of his Knowledge and Belief; and thereupon the Collector and Comptroller or other proper Officer shall sign and give to the Master a Certificate of Production (1), stating that Proof has been made in

Certificate of
Production for
Sugar, Coffee,
Cocoa, or
Spirits.

Declaration of
the Grower.

Declaration of
Exporter.

Declaration of
the Master.

(1) As to Delivery of this Certificate in the United Kingdom, see Cap. 86. § 38.

manner required by Law that such Goods (describing the same) are the Produce of such *British* Possession, or of the said Island, and setting forth in such Certificate the Name of the Exporter and of the exporting Ship, and of the Master thereof, and the Destination of the Goods; and if any Sugar, Coffee, Cocoa, or Spirits be imported into any *British* Possession in *America*, as being the Produce of some other such Possession or of the said Island, without such Certificate of Production, the same shall be forfeited.

Certificate of
Production on
Re-exportation
from another
Colony.

XLII. And be it enacted, That before any Sugar, Coffee, Cocoa, or Spirits shall be shipped for Exportation in any *British* Possession in *America* as being the Produce of some other such Possession, the Person exporting the same shall in the Entry Outwards state the Place of Production, and refer to the Entry Inwards and landing of such Goods, and shall make and subscribe a Declaration before the Collector or Comptroller to the Identity of the same; and thereupon, if such Goods shall have been duly imported with a Certificate of Production within Twelve Months prior to the shipping for Exportation, the Collector and Comptroller shall sign and give to the Master a Certificate of Production founded upon and referring to the Certificate of Production under which such Goods had been so imported, and containing the like Particulars, together with the Date of such Importation.

Goods brought
over Land or
by Inland Na-
vigation.

XLIII. And whereas it is expedient to make Regulation respecting the Inland Trade of the *British* Possessions in *America*; be it therefore enacted, That it shall be lawful to bring or import by Land or by Inland Navigation into any of the *British* Possessions in *America* from any adjoining Foreign Country any Goods which might be lawfully imported by Sea into such Possession from such Country, and so to bring or import such Goods in the Vessels, Boats, or Carriages of such Country, as well as in *British* Vessels, Boats, or Carriages.

What Vessels
shall be deemed
British on the
Lakes in *Ame-
rica*.

XLIV. And be it enacted, That no Vessel or Boat shall be admitted to be a *British* Vessel or Boat on any of the Inland Waters or Lakes in *America*, except such as shall have been built at some Place within the *British* Dominions, and shall be wholly owned by *British* Subjects, and shall not have been repaired at any Foreign Place to

a greater Extent than in the Proportion of Ten Shillings for every Ton of such Vessel or Boat at any One Time: Provided always, that nothing herein-before contained shall extend to prevent the Employment of any Vessel or Boat as a *British* Vessel or Boat on such Inland Waters or Lakes which shall have wholly belonged to *British* Subjects before the Fifth Day of *July* One thousand eight hundred and twenty-five, and which shall not have been since that Day repaired as aforesaid in any Foreign Place.

XLV. Provided always, and be it enacted, That it shall not be lawful so to bring or import any Goods except into some Port or Place of Entry at which a Custom House now is or hereafter may be lawfully established: Provided also, that it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government of any of the said Possessions respectively, by and with the Advice and Consent of the Executive Council thereof for the Time being, if any Executive Council be there established, from Time to Time to diminish or increase, by Proclamation, the Number of Ports or Places of Entry which are or hereafter may be appointed in such Province for the Entry of Goods brought or imported as aforesaid.

Goods must be brought to a Place where there is a Custom House.

Governor may appoint Custom Houses.

XLVI. And be it enacted, That the Duties imposed by this Act shall be ascertained, levied, and recovered for and upon all Goods so brought or imported in the same Manner, and by the same Means, and under the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as the Duties on the like Goods imported by Sea may and can be ascertained, levied, or recovered, as far as the same are applicable; and if any Goods shall be brought or imported contrary hereto, or if any Goods so brought or imported shall be removed from the Station or Place appointed for the Examination of such Goods by the Officers of the Customs before such Examination shall have been made, and before all Duties payable thereon shall have been paid or satisfied, such Goods shall be forfeited, together with the Vessel, Boat, or Carriage, and the Horses or other Cattle, in or by which such Goods shall have been so imported or brought or so removed.

Duties to be collected in same Manner as on Goods imported by Sea.

Duties in Canada on American Boats to be the same as in America on British Boats.

XLVII. And be it enacted, That the same Tonnage Duties shall be paid upon all Vessels or Boats of the United States of *America* importing any Goods into either of the Provinces of *Upper* or *Lower Canada* as are or may be for the Time being payable in the United States of *America* on *British* Vessels or Boats entering the Harbours of the State from whence such Goods shall have been imported.

Ports herein mentioned to be free warehousing Ports.

XLVIII. And whereas it is expedient to constitute and appoint some of the Free Ports (1) and other Ports in *America* to be free warehousing Ports, or to be warehousing Ports for all or any of the Goods which may be legally imported into the said Ports respectively, and it is also expedient to empower Her Majesty (2) to constitute and appoint from Time to Time any other Ports in any of the said *British* Possessions in *America* to be in like Manner warehousing Ports for such Goods as may be legally imported into such Ports respectively; and it is therefore necessary to make Regulations for the appointing of proper Warehouses at such Ports, and for the lodging and securing of Goods therein; be it therefore enacted, That the several Ports herein-after mentioned, (that is to say,)

<i>Kingstown</i>	-	-	} <i>Jamaica,</i>
<i>Montego Bay</i>	-	-	
<i>Falmouth</i>	-	-	
<i>Bridgetown</i>	-	-	<i>Barbadoes,</i>
<i>St. John's</i>	-	-	<i>Antigua,</i>
<i>Plymouth</i>	-	-	<i>Montserrat,</i>
<i>Basseterre</i>	-	-	<i>St. Kitts,</i>
<i>Charlestown</i>	-	-	<i>Nevis,</i>
<i>Road Harbour</i>	-	-	<i>Tortola,</i>
<i>Castries</i>	-	-	<i>St. Lucia,</i>
<i>Roseau</i>	-	-	<i>Dominica,</i>
<i>Kingstown</i>	-	-	<i>St. Vincent,</i>
<i>St. George's</i>	-	-	<i>Grenada,</i>
<i>Port of Spain</i>	-	-	<i>Trinidad,</i>
<i>Scarboroughh</i>	-	-	<i>Tobago,</i>
<i>George Town</i>	-	<i>Demerara</i>	} <i>British</i>
<i>New Amsterdam</i>	-	<i>Berbice</i>	
<i>Nassau</i>	-	-	} <i>Guiana,</i>
<i>Grand Key</i>	-	<i>New Providence</i>	
	-	<i>Turk's Island</i>	} <i>Bahamas,</i>

(1) See § 2.

(2) See § 60.

<i>Hamilton</i>	-	-	} <i>Bermudas,</i>
<i>St. George's</i>	-	-	
<i>Halifax</i>	-	-	
<i>Pictou</i>	-	-	} <i>Nova Scotia,</i>
<i>Liverpool</i>	-	-	
<i>Yarmouth</i>	-	-	
<i>Digby</i>	-	-	
<i>Sydney (Cape Breton)</i>	-	-	
<i>Arichat</i>	-	-	
<i>St. John's</i>	-	-	} <i>New Brunswick,</i>
<i>St. Andrew's</i>	-	-	
<i>Welchpool</i>	-	-	<i>Campo Bello,</i>
<i>Quebec</i>	-	-	<i>Canada,</i>
<i>St. John's</i>	-	-	} <i>Newfoundland,</i>
<i>Harbour Gráce</i>	-	-	
<i>Charlotte Town</i>	-	-	<i>Prince Edward's Island,</i>

shall be FREE WAREHOUSING PORTS for all the Purposes of this Act; and that

<i>Kingston,</i>	-	-	} <i>in Canada,</i>
<i>Toronto,</i>	-	-	
<i>Hamilton,</i>	-	-	
<i>and</i>	-	-	
<i>Montreal,</i>	-	-	

shall be WAREHOUSING PORTS for the warehousing of Goods brought by Land or Inland Navigation, or imported in *British Ships*; and that it shall be lawful for the several Collectors and Comptrollers of the said Ports respectively, by Notice in Writing under their Hands, to appoint from Time to Time such Warehouses at such Ports respectively as shall be approved of by them for the free warehousing and securing of Goods therein for the Purposes of this Act, and also in such Notice to declare what Sorts of Goods may be so warehoused, and also by like Notice to revoke or alter any such Appointment or Declaration: Provided always, that every such Notice shall be transmitted to the Governor of the Place, and shall be published in such Manner as he shall direct.

XLIX. And be it enacted, That it shall be lawful for the Importer of any such Goods into the said Ports to warehouse the same in the Warehouses so appointed without Payment of any Duty on the first Entry (1)

Goods may be warehoused without Payment of Duty.

(1) See §§ 29. 31.

thereof, subject nevertheless to the Rules, Regulations, Restrictions, and Conditions herein-after contained.

Regulation as
to warehousing
of Goods on
Arrival in
Canada.

L. And be it enacted, That upon the Arrival of any Goods at any frontier Port in the *Canadas*, such Goods may be entered with the proper Officer of the Customs at such Port, to be warehoused at some warehousing Port in the *Canadas*, and may be delivered by such Officer to be passed on to such warehousing Port, under Bond, to the Satisfaction of such Officer, for the due Arrival and warehousing of such Goods at such Port.

Stowage of
Goods in
Warehouse.

Locking and
opening Ware-
house.

Carrying Goods
to and from
Warehouse.

LI. And be it enacted, That all Goods so warehoused shall be stowed in such Parts or Divisions of the Warehouse and in such Manner as the Collector and Comptroller shall direct, and that the Warehouse shall be locked and secured in such Manner, and shall be opened and visited only at such Times, and in the Presence of such Officers, and under such Rules and Regulations, as the Collector and Comptroller shall direct; and that all such Goods shall, after being landed upon Importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for Exportation, or for Stores, be carried to be shipped under such Rules and Regulations as the Collector and Comptroller shall direct.

Bond upon En-
try of Goods to
be warehoused.

LII. And be it enacted, That upon the Entry of any Goods to be warehoused, the Importer of such Goods, instead of paying down the Duties due thereon, shall give Bond with Two sufficient Sureties, to be approved of by the Collector or Comptroller, in Treble the Duties payable on such Goods, with Condition for the safe depositing of such Goods in the Warehouse mentioned in such Entry, and for the Payment of all Duties due upon such Goods, or for the Exportation thereof or Shipment thereof as Stores, according to the first Account taken of such Goods upon the landing of the same; and with further Condition, that no Part thereof shall be taken out of such Warehouse until cleared from thence upon due Entry and Payment of Duty, or upon due Entry for Exportation or for Shipment as Stores; and with further Condition, that the whole of such Goods shall be so cleared from such Warehouse, and the Duties, upon any Deficiency of the Quantity according to such first Account, shall be paid within Two

Years from the Date of the first Entry thereof; and if after such Bond shall have been given the Goods or any Part thereof shall be sold or disposed of, so that the original Bonder shall be no longer interested in or have any Control over the same, it shall be lawful for the Collector and Comptroller to admit fresh Security to be given by the Bond of the new Proprietor or other Person having Control over such Goods, with his sufficient Sureties, and to cancel the Bond given by the original Bonder of such Goods, or to exonerate him to the Extent of the fresh Security so given.

Purchaser of Goods may give Bond in lieu of original Bond.

LIII. And be it enacted, That if any Goods which have been entered to be warehoused shall not be duly carried into and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due Entry and Clearance, or having been entered and cleared for Exportation, or for Shipment as Stores, from the Warehouse, shall not be duly carried and shipped, or shall afterwards be re-landed, except with the Permission of the proper Officer of the Customs, such Goods shall be forfeited.

Goods not duly warehoused, &c. to be forfeited.

LIV. And be it enacted, That upon the Entry and landing of any Goods to be warehoused the proper Officer of the Customs shall take a particular Account of the same, and shall mark the Contents on each Package, and shall enter the same in a Book to be kept for that Purpose; and no Goods which have been so warehoused shall be taken or delivered from the Warehouse, except upon due Entry and under the Care of the proper Officers for Exportation, or for Stores, or upon due Entry and Payment of Duty for Home Use; and whenever the whole of the Goods warehoused under any Entry shall be cleared from the Warehouse, or whenever further Time (1) shall be granted for any such Goods to remain warehoused, an Account shall be made out of the Quantity upon which the Duties have been paid, and of the Quantity exported, and of the Quantity (to be then ascertained) of the Goods still remaining in the Warehouse, as the Case may be, deducting from the whole the Quantity contained in any whole Packages (if any) which may have been abandoned for Duties; and if upon such Account there shall in either Case appear to be any Deficiency of the original Quan-

Account of Goods to be taken on landing.

No Goods to be taken out without Entry.

Deficiencies to be ascertained.

Duties to be paid upon Deficiencies.

(1) See § 58.

tity, the Duty payable upon the Amount of such Deficiency shall then be paid.

Samples may be taken.

LV. And be it enacted, That it shall be lawful for the Collector and Comptroller, under such Regulations as they shall see fit, to permit moderate Samples to be taken of any Goods so warehoused, without Entry, and without Payment of Duty, except as the same shall eventually become payable, as on a Deficiency of the original Quantity.

Goods may be sorted and re-packed.

LVI. And be it enacted, That it shall be lawful for the Collector and Comptroller, under such Regulations as they shall see fit, to permit the Proprietor or other Person having Control over the Goods so warehoused to sort, separate, and pack and re-pack any such Goods, and to make such lawful Alterations therein, or Arrangements and Assortments thereof, as may be necessary for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same, and also to permit any Parts of such Goods so separated to be destroyed, but without Prejudice to the Claim for Duty upon the whole original Quantity of such Goods: Provided always, that it shall be lawful for any Person to abandon any whole Packages to the Officers of the Customs for the Duties, without being liable to any Duty upon the same.

Duty due on first Quantity.

Whole Packages may be abandoned for Duty.

Goods warehoused may be delivered for Removal without Payment of Duty.

LVII. And be it enacted, That Goods warehoused at any warehousing Port in any of the *British Possessions in America*, being first duly entered, may be delivered, under the Authority of the proper Officer of Customs, without Payment of Duty, except any Deficiency thereof, for the Purpose of Removal to another warehousing Port in the same Possession, under Bond, to the Satisfaction of such Officer, for the due Arrival and re-warehousing such Goods at such other Port.

All Goods to be cleared within Two Years, or sold.

LVIII. And be it enacted, That all Goods which have been so warehoused or re-warehoused shall be duly cleared, either for Exportation or for Home Consumption, within Two Years from the Day of first Entry for the warehousing thereof; and if any such Goods be not so cleared it shall be lawful for the Collector and Comptroller to cause the same to be sold, and the Produce shall be

applied first to the Payment of the Duties, next of Warehouse Rent and other Charges, and the Overplus (if any) shall be paid to the Proprietor: Provided always, that it shall be lawful for the Collector and Comptroller to grant further Time (1) for any such Goods to remain warehoused, if they shall see fit so to do: Provided also, that Foreign salted Beef or Pork so warehoused or re-warehoused may be delivered into the Charge of a Searcher or other proper Officer of Customs to be shipped as Stores; and such Beef and Pork shall and may be so shipped without Entry or Payment of any Duty for every Ship of the Burden of Sixty Tons at least bound upon a Voyage to Foreign Parts, the probable Duration of which, out and home, will not be less than Forty Days, and such Foreign Beef or Pork so shipped shall be deemed to be exported: Provided also, that such Foreign Beef and Pork shall be duly borne upon the Ship's Clearance, and shall be shipped in such Quantities, and subject to such Directions and Regulations as the Collector or other Chief Officer of Customs at the Port of Shipment shall appoint: Provided also, that the surplus Stores of such Foreign Beef or Pork may be delivered into the Charge of the Searcher or other proper Officer of Customs to be re-shipped as Stores, under such Directions and Regulations as the Collector or other Chief Officer of Customs shall appoint; and any such Beef or Pork shipped as Stores contrary to such Directions and Regulations shall be forfeited.

Further Time
may be granted.

Foreign salted
Beef or Pork
may be shipped
as Stores.

Surplus of such
Stores may be
delivered into
Charge of
Searcher to be
re-shipped.

LIX. And be it enacted, That upon the Entry Outwards of any Goods to be exported from the Warehouse, the Person entering the same shall give Security by Bond in Treble the Duties of Importation on the Quantity of such Goods, or if such Goods are prohibited to be imported for Home Use, in Double the Value of such Goods, with Two sufficient Sureties, to be approved by the Collector or Comptroller, that the same shall be landed at the Place for which they be entered Outwards, or be otherwise accounted for to the Satisfaction of the Collector and Comptroller.

Bond on Entry
for Exportation.

LX. And be it enacted, That it shall be lawful for Her Majesty, by Order in Council, from Time to Time to

Power to ap-
point other
Ports.

(1) For Regulations when Time is granted, see § 54.

appoint any Port in Her Majesty's Possessions in *America* to be a free warehousing Port for all or any of the Purposes of this Act; and every such Port so appointed by Her Majesty shall be, for all the Purposes expressed in such Order, a free warehousing Port under this Act, as if appointed by the same. (1)

Goods from
Mauritius liable
to same Duties
and Regulations
as West India
Goods.

LXI. And whereas it is expedient that all Duties and Regulations relating to Importation and Exportation into and from Her Majesty's Islands in the *West Indies* should be extended to the Island of *Mauritius*; be it therefore enacted, That all Goods, Wares, and Merchandize, the Growth, Produce, or Manufacture of the Island of *Mauritius*, and all Goods, Wares, and Merchandize which, having been imported into the said Island of *Mauritius*, shall be imported from thence into any Part of the United Kingdom of *Great Britain* and *Ireland*, or into any Possessions of Her Majesty, Her Heirs or Successors, shall be liable, upon such Importation into the United Kingdom or into any such Possessions respectively, to the Payment of the same Duties, and shall be subject to the same Regulations, as the like Goods, Wares, and Merchandize, being of the Growth, Produce, or Manufacture of Her Majesty's Islands in the *West Indies*, or having been imported into or exported from any of the said Islands, and imported from the same into the said United Kingdom, or into any such Possessions respectively, would on such Importation be liable to the Payment of or would be subject unto; and that upon the Exportation of any Goods, Wares, or Merchandize from the United Kingdom to the Island of *Mauritius* such Goods, Wares, or Merchandize shall be liable to the same Duties, and shall be entitled to the like Drawbacks respectively, as would or ought by Law to be charged or allowed upon the like Goods from the United Kingdom to any of Her Majesty's Islands in the *West Indies*; and that all Goods, Wares, and Merchandize which shall be imported into or exported from the said Island of *Mauritius* from or to any Place whatever other than the United Kingdom shall, upon such Importation or Exportation respectively, be liable to the Payment of the same Duties, and shall be subject to the same Regulations, so far as any such Regulations can or may be applied, as the like Goods, Wares, and Merchan-

(1) For Power to appoint free Ports for limited Purposes, see § 3.

dize would be liable to the Payment of or would be subject to upon Importation into or Exportation from any of Her Majesty's Islands in the *West Indies*; and that all Ships and Vessels whatever which shall arrive at or depart from the said Island of *Mauritius* shall be liable to the Payment of the same Duties, and shall be subject to the same Regulations, as such Ships or Vessels would be liable to the Payment of or would be subject to if arriving at or departing from any of Her Majesty's Islands in the *West Indies*. (1)

LXII. And be it enacted, That in all Trade with the *British Possessions in America* and the *Mauritius*, the *Cape of Good Hope*, and the Territories and Dependencies thereof, shall be deemed to be within the Limits of the *East India Company's Charter*. Cape of Good Hope within Limits of the Company's Charter.

LXIII. And be it enacted, That all Laws, Bye Laws, Usages, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British Possessions in America*, which are in anywise repugnant to this Act, or to any Act of Parliament made or hereafter to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever. Colonial Laws repugnant to any Act of Parliament to be null and void.

LXIV. Provided always, and be it enacted, That no Exemption from Duty in any of the *British Possessions* abroad, contained in any Act of Parliament, shall extend to any Duty not imposed by Act of Parliament, unless and so far only as any Duty not so imposed is or shall be expressly mentioned in such Exemption. Exemption to extend only to Duties by Act of Parliament.

LXV. And be it enacted, That it shall be lawful for the Officers of Customs to go on board any Ship in any Port in any *British Possession in America*, and to rummage and search all Parts of such Ship for prohibited and uncustomed Goods, and also to go on board any Ship hovering within One League of any of the Coasts thereof, Officers may board Ships in Port or hovering on Coasts.

(1) The Operation of this Clause is to place *Mauritius* as nearly as possible on the Footing of a *West India Island*. But see Power to Her Majesty in Council to make Regulations, § 90.

and in either Case freely to stay on board such Ship so long as she shall remain in such Port or within such Distance; and if any such Ship be bound elsewhere (1), and shall continue so hovering for the Space of Twenty-four Hours after the Master shall have been required to depart, it shall be lawful for the Officer of Customs to bring such Ship into Port, and to search and examine her Cargo, and to examine the Master on Oath touching the Cargo and Voyage; and if there be any Goods on board prohibited to be imported into such Possession, such Ship and her Cargo shall be forfeited; and if the Master shall not truly answer the Questions which shall be demanded of him on such Examination he shall forfeit the Sum of One hundred Pounds.

Forfeiture of Vessels, Carriages, &c. used in removing Goods liable to Forfeiture.

Persons assisting in unshipping or harbouring such Goods liable to Treble the Value or 100*l*.
Averment of Election sufficient, without Proof.

LXVI. And be it enacted, That all Vessels, Boats, Carriages, and Cattle made use of in the Removal of any Goods liable to Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, shall be forfeited; and every Person who shall assist or be otherwise concerned in the unshipping, landing, or Removal, or in the harbouring, of such Goods (2), or into whose Hands or Possession the same shall knowingly come, shall forfeit the Treble Value thereof, or the Penalty of One hundred Pounds, at the Election of the Officers of the Customs; and the Averment in any Information or Libel to be exhibited for the Recovery of such Penalty, that the Officer proceeding has elected to sue for the Sum mentioned in the Information, shall be deemed sufficient Proof of such Election, without any other or further Evidence of such Fact.

Goods, Vessels, &c. liable to Forfeiture may be seized by Officers.

LXVII. And be it enacted, That all Goods, and all Ships, Vessels, and Boats, and all Carriages, and all Cattle, liable to Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, shall and may be seized and secured by any Officer of the Customs or Navy, or by any Person employed for that Purpose, by or with the Concurrence of the Commissioners of Her Majesty's Customs; and every Person who shall in any

(1) As to Vessels arriving, see § 21.

(2) See as to Writ of Assistance to search for such Goods, § 70., and as to the Onus probandi, § 76.

way hinder, oppose, molest, or obstruct (1) any Officer of the Customs or Navy, or any Person so employed as aforesaid, in the Exercise of his Office, or any Person acting in his Aid or Assistance, shall for every such Offence forfeit the Sum of Two hundred Pounds.

Obstructing
Officers, Pen-
alty, 200*l*.

LXVIII. And be it enacted, That if any Officer of Customs, or any Person duly employed for the Prevention of Smuggling, shall make any collusive Seizure, or deliver up, or make any Agreement to deliver up, or not to seize, any Vessel, Boat, or Goods liable to Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, or shall take any Bribe, Gratuity, Recompence, or Reward for the Neglect or Nonperformance of his Duty, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving Her Majesty in any Office whatever; and every Person who shall give or offer, or promise to give or procure to be given, any Bribe, Recompence, or Reward to, or shall make any collusive Agreement with, any such Officer or Person as aforesaid in any of Her Majesty's Possessions abroad, to induce him in any way to neglect his Duty, or to do, conceal, or connive at any thing whereby the Provisions of any such Act may be evaded, shall forfeit the Sum of Two hundred Pounds.

Officer making
collusive Sei-
zures, or taking
Bribes, and
Persons giving
Bribes, subject-
ed to Penalties.

LXIX. And be it enacted, That all Vessels, Boats, Goods, and other Things which shall have been or shall hereafter be seized as forfeited in or near any of the *British* Possessions abroad, under this or any Act relating to the Customs, or to Trade or Navigation, shall be deemed and taken to be condemned, and may be dealt with in the Manner directed by Law in respect to Vessels, Boats, Goods, and other Things seized and condemned for Breach of any such Act, unless the Person from whom such Vessels, Boats, Goods, and other Things shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Calendar Month from the Day of seizing the same, give Notice in Writing to the Person or Persons seizing the same, or to the Collector, Comptroller, or other Chief Officer of Customs at the nearest

Seized Goods,
if unclaimed for
a Month, to be
condemned and
dealt with ac-
cordingly.

(1) See § 71. as to Cases of Obstruction by Force or Violence.

Port, that he claims the Vessel, Boat, Goods, or other Things, or intends to claim them.

Writ of Assistance to search for and seize Goods liable to Forfeiture.

LXX. And be it enacted, That, under the Authority of a Writ of Assistance granted by the Superior or Supreme Court of Justice or Court of Vice Admiralty having Jurisdiction in the Place (who are hereby authorized and required to grant such Writ of Assistance, upon Application made to them for that Purpose by the principal Officers of Her Majesty's Customs), it shall be lawful for any Officer of the Customs, taking with him a Peace Officer, to enter any Building or other Place in the Day-time, and to search for and seize and secure any Goods liable to Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, and, in case of Necessity, to break open any Doors and any Chests or other Packages for that Purpose; and such Writ of Assistance, when issued, shall be deemed to be in force during the whole of the Reign in which the same shall have been granted, and for Twelve Months from the Conclusion of such Reign.

Obstructing Officers by Force.

LXXI. And be it enacted, That if any Person shall, by Force or Violence, assault, resist, oppose, molest, hinder, or obstruct any Officer of the Customs or Navy, or other Person employed as aforesaid, in the Exercise of his Office, or any Person acting in his Aid or Assistance, such Person being thereof convicted shall be adjudged a Felon, and shall be proceeded against as such, and punished at the Discretion of the Court before whom such Person shall be tried.

Goods seized to be secured at the next Custom House, and sold by Auction.

LXXII. And be it enacted, That all Things which shall be seized as being liable to Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, shall be taken forthwith and delivered into the Custody of the Collector and Comptroller of the Customs at the Custom House next to the Place where the same were seized, who shall secure the same by such Means and in such Manner as shall be provided and directed by the Commissioners of Her Majesty's Customs, and after Condemnation thereof the Collector and Comptroller shall cause the same to be sold by public Auction to the best

Bidder: Provided always, that it shall be lawful for the said Commissioners to direct in what Manner the Produce of such Sale shall be applied, or, in lieu of such Sale, to direct that any of such Things shall be destroyed or shall be reserved for the public Service.

LXXIII. And be it enacted, That all Penalties and Forfeitures which may have been heretofore or may be hereafter incurred under this or any Act relating to the Customs, or to Trade or Navigation, shall and may be prosecuted, sued for, and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises, and in Cases where there shall happen to be no such Court, then in any Court of Record or of Vice Admiralty having Jurisdiction in some *British* Colony or Plantation near to that where the Cause of Prosecution arises; provided that in Cases where a Seizure is made in any other Colony than that where the Forfeiture accrues, such Seizure may be prosecuted in any Court of Record or of Vice Admiralty having Jurisdiction either in the Colony or Plantation where the Forfeiture accrues, or in the Colony or Plantation where the Seizure is made, at the Election of the Seizor or Prosecutor; and in Cases where there shall happen to be no such Courts in either of the last-mentioned Colonies or Plantations, then in the Court of Record or of Vice Admiralty having Jurisdiction in some *British* Colony or Plantation near to that where the Forfeiture accrues, or to that where the Seizure is made, at the Election of the Seizor or Prosecutor.

Jurisdiction for Prosecution of Seizures and Penalties.

LXXIV. And be it enacted, That if any Goods or any Ship or Vessel shall be seized as forfeited under this or any Act relating to the Customs, or to Trade or Navigation, and detained in any of the *British* Possessions in *America*, it shall be lawful for the Judge or Judges of any Court having Jurisdiction to try and determine such Seizures, with the Consent of the Collector and Comptroller of the Customs, to order the Delivery thereof on Security by Bond, with Two sufficient Sureties, to be first approved by such Collector and Comptroller, to answer Double the Value of the same in case of Condemnation; and such Bond shall be taken to the Use of Her Majesty in the Name of the Collector or Officer of

Bail may be given for Goods or Ships seized.

the Customs in whose Custody the Goods or the Ship or Vessel may be lodged, and such Bond shall be delivered and kept in the Custody of such Collector or Officer; and in case the Goods or the Ship or Vessel shall be condemned, the Value thereof shall be paid into the Hands of such Collector or Officer, who shall thereupon, with the Consent or Privity of his Comptroller, cancel such Bond.

Suits to be commenced in Name of Officers of Customs or Navy.

LXXV. And be it enacted, That no Suit shall be commenced for the Recovery of any Penalty or Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, except in the Name of some Superior Officer of the Customs or Navy, or other Person employed as herein-before mentioned, or of Her Majesty's Advocate or Attorney General for the Place where such Suit shall be commenced; and if a Question shall arise, whether any Person is an Officer of the Customs or Navy, or such other Person as aforesaid, *vivâ voce* Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence.

Onus probandi to lie on the Party.

LXXVI. And be it enacted, That if any Goods shall be seized for Nonpayment of Duties, or any other Cause of Forfeiture, and any Dispute shall arise whether the Duties have been paid for the same, or the same have been lawfully imported, or lawfully laden or exported, the Proof thereof shall lie on the Owner or Claimer of such Goods and not on the Officer who shall seize or stop the same.

Claim to Things seized to be entered in the Name of the Owner.

LXXVII. And be it enacted, That no Claim to any thing seized under this or any Act relating to the Customs, or to Trade or Navigation, and returned into any of Her Majesty's Courts for Adjudication, shall be admitted, unless such Claim be entered in the Name of the Owner, with his Residence and Occupation, nor unless Oath to the Property in such Thing be made by the Owner, or by his Attorney or Agent by whom such Claim shall be entered, to the best of his Knowledge and Belief; and every Person making a false Oath thereto shall be deemed guilty of a Misdemeanor, and shall be liable to the Pains and Penalties to which Persons are liable for a Misdemeanor.

LXXVIII. And be it enacted, That no Person shall be admitted to enter a Claim to any thing seized in pursuance of this or any Act relating to the Customs, or to Trade or Navigation, and prosecuted in any of the *British Possessions in America*, until sufficient Security shall have been given in the Court where such Seizure is prosecuted, in a Penalty not exceeding Sixty Pounds, to answer and pay the Costs occasioned by such Claim; and in default of giving such Security such Things shall be adjudged to be forfeited, and shall be condemned.

No Person admitted to enter Claim for any thing seized, unless Security first given.

LXXIX. And be it enacted, That no Writ shall be sued out against, nor a Copy of any Process served upon, any Officer of the Customs or Navy, or other Person as aforesaid, for any thing done in the Exercise of his Office, until One Calendar Month after Notice in Writing shall have been delivered to him, or left at his usual Place of Abode, by the Attorney or Agent of the Party who intends to sue out such Writ or Process, in which Notice shall be clearly and explicitly contained the Cause of the Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and no Evidence of the Cause of such Action shall be produced, except of such as shall be contained in such Notice; and no Verdict shall be given for the Plaintiff unless he shall prove on the Trial that such Notice was given; and in default of such Proof the Defendant shall receive in such Action a Verdict and Costs.

A Month's Notice to be given to Officers.

LXXX. And be it enacted, That every such Action shall be brought within Three Calendar Months after the Cause thereof, and shall be laid and tried in the Place or District where the Facts were committed; and the Defendant may plead the General Issue and give the special Matter in Evidence; and if the Plaintiff shall become nonsuited, or shall discontinue the Action, or if upon a Verdict or Demurrer Judgment shall be given against the Plaintiff, the Defendant shall receive Treble Costs, and have such Remedy for the same as any Defendant can have in other Cases where Costs are given by Law.

Actions to be brought within Three Months of the Cause of them.

LXXXI. And be it enacted, That in case any Information or Suit shall be brought to Trial on account of any

Judge may certify probable

Cause of Seizure.

Seizure made under this or any Act relating to the Customs, or to Trade or Navigation, and a Verdict shall be found for the Claimant thereof, and the Judge or Court before whom the Cause shall have been tried shall certify on the Record that there was probable Cause of Seizure, the Claimant shall not be entitled to any Costs of Suit, nor shall the Person who made such Seizure be liable to any Action, Indictment, or other Suit or Prosecution on account of such Seizure; and if any Action, Indictment, or other Suit or Prosecution shall be brought to Trial against any Person on account of such Seizure, wherein a Verdict shall be given against the Defendant, the Plaintiff, besides the Things seized, or the Value thereof, shall not be entitled to more than Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant in such Prosecution be fined more than One Shilling.

Officer may tender Amends.

LXXXII. And be it enacted, That it shall be lawful for such Officer, within One Calendar Month after such Notice, to tender Amends to the Party complaining, or his Agent, and to plead such Tender in bar to any Action, together with other Pleas; and if the Jury shall find the Amends sufficient, they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuited, or shall discontinue his Action, or Judgment shall be given for the Defendant upon Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only: Provided always, that it shall be lawful for such Defendant by Leave of the Court where such Action shall be brought, at any Time before Issue joined, to pay Money into Court as in other Actions.

Judge may certify probable Cause of Action.

LXXXIII. And be it enacted, That in any such Action, if the Judge or Court before whom such Action shall be tried shall certify upon the Record that the Defendant or Defendants in such Action acted upon probable Cause, then the Plaintiff in such Action shall not be entitled to more than Two-pence Damages, nor to any Costs of Suit.

Recovery and Application of Penalties.

LXXXIV. And be it enacted, That all Penalties and Forfeitures recovered in any of the *British Possessions* in

America under this or any Act relating to the Customs, or to Trade or Navigation, shall be paid into the Hands of the Collector or Comptroller of the Port or Place of the *British Possessions in America* where the same shall have been recovered, and shall be divided, paid, and applied as follows; (that is to say,) after deducting the Charges of Prosecution from the Produce thereof, One Third Part of the net Produce shall be paid into the Hands of the Collector of Her Majesty's Customs at the Port or Place where such Penalties or Forfeitures shall be recovered for the Use of Her Majesty, One Third Part to the Governor or Commander-in-Chief of the said Colony or Plantation, and the other Third Part to the Person who shall seize, inform, and sue for the same; excepting such Seizures as shall be made at Sea by the Commanders or Officers of Her Majesty's Ships of War duly authorized to make Seizures, one Moiety of which Seizure, and of the Penalties and Forfeitures recovered thereon, first deducting the Charges of Prosecution from the gross Produce thereof, shall be paid as aforesaid to the Collector of Her Majesty's Customs to and for the Use of Her Majesty, and the other Moiety to him or them who shall seize, inform, and sue for the same, any Law, Custom, or Usage to the contrary notwithstanding, subject nevertheless to such Distribution of the Produce of the Seizures so made at Sea, as well with regard to the Moiety herein-before granted to Her Majesty as with regard to the other Moiety given to the Seizor or Prosecutor, as Her Majesty shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

LXXXV. And be it enacted, That all Actions or Suits for the Recovery of any of the Penalties or Forfeitures imposed by this or any Act relating to the Customs, or to Trade or Navigation, may be commenced or prosecuted at any Time within Three Years after the Offence committed by reason whereof such Penalty or Forfeiture shall be incurred, any Law, Usage, or Custom to the contrary notwithstanding.

Limitation of
Suits.

LXXXVI. And be it enacted, That no Appeal shall be prosecuted from any Decree or Sentence of any of Her Majesty's Courts in *America* touching any Penalty or For-

Limitation of
Appeals.

feiture imposed by this or any Act relating to the Customs, or to Trade or Navigation, unless the Inhibition shall be applied for and decreed within Twelve Months from the Time when such Decree or Sentence was pronounced.

Security to
abide an Appeal
from Decree of
Vice Admiralty
Court.

LXXXVII. Provided always, and be it enacted, That in any Case in which Proceedings shall have been or shall hereafter be instituted in any Court of Vice Admiralty or other competent Court in any of Her Majesty's Possessions abroad against any Ship, Vessel, Boat, Goods, or Effects for the Recovery of any Penalty or Forfeiture under this or any Act relating to the Customs, or to Trade or Navigation, the Execution of any Sentence or Decree restoring such Ship, Vessel, Boat, Goods, or Effects to the Claimant thereof, which shall be pronounced by the said Vice Admiralty Court in which such Proceedings shall have been had, shall not be suspended by reason of any Appeal which shall be prayed and allowed from such Sentence; provided that the Party or Parties appellate shall give sufficient Security, to be approved of by the Court, to render and deliver the Ship, Vessel, Boat, Goods, or Effects concerning which such Sentence or Decree shall be pronounced, or the full Value thereof, to be ascertained either by Agreement between the Parties, or in case the said Parties cannot agree, then by Appraisement under the Authority of the said Court, to the Appellant or Appellants, in case the Sentence or Decree so appealed from shall be reversed, and such Ship, Vessel, Boat, Goods, or Effects be ultimately condemned.

Persons autho-
rized to make
Seizures under
5 G. 4. c. 113. to
have the Benefit
of this Act.

LXXXVIII. And be it enacted, That all Persons authorized to make Seizures under an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions granted to Persons authorized to make Seizures under this Act.

Application of
Penalties under
5 G. 4. c. 113.

LXXXIX. And be it enacted, That all Penalties and Forfeitures created by the said Act passed in the Fifth Year of His Majesty King *George* the Fourth, whether pecuniary or specific, shall (except in Cases specially pro-

vided for by the said Act) go and belong to such Persons as are authorized by that Act to make Seizures in such Shares, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions, as any Penalties and Forfeitures incurred in *Great Britain* and in the *British Possessions in America* respectively now go and belong to, and may be sued, prosecuted, tried, recovered, and distributed respectively in *Great Britain* or in the said Possessions under and by virtue of this Act.

XC. And be it enacted, That it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, by any Order or Orders in Council to be issued from Time to Time, to give such Directions and make such Regulations touching the Trade and Commerce to and from any *British Possessions* on or near the Continent of *Europe*, or within the *Mediterranean Sea*, or in *Africa*, or within the Limits of the *East India Company's Charter* (excepting the Possessions of the said Company), as to Her Majesty in Council shall appear most expedient and salutary, any thing in this Act to the contrary notwithstanding; and if any Goods shall be imported or exported in any Manner contrary to any such Order of Her Majesty in Council, the same shall be forfeited, together with the Ship importing or exporting the same.

The Queen may regulate the Trade of certain Colonies.

XCI. And be it enacted, That it shall be lawful for any Person, being the Shipper of any Sugar the Produce of some *British Possession* within the Limits of the *East India Company's Charter*, about to be exported from any Place in such Possession, to go before the Collector or Comptroller or other Chief Officer of the Customs at such Place, or, if there be no such Officer of the Customs, to go before the principal Officer of such Place, or the Judge or Commercial Resident of the District, and make and sign a Declaration before him that such Sugar was really and *bonâ fide* the Produce of such *British Possession*, to the best of his Knowledge and Belief; and such Officer, Judge, or Resident is hereby authorized and required to grant a Certificate thereof (1), setting forth in such Cer-

Certificate of Production of East India Sugar.

(1) To be produced in the United Kingdom. See Cap. 86. § 39.

tificate the Name of the Ship in which the Sugar is to be exported, and the Destination of the same.

Ships built prior to 1st January 1816 deemed 'British Ships' within certain Limits.

XCII. And be it enacted, That all Ships built at any Place within the Limits of the *East India Company's* Charter prior to the First Day of *January* One thousand eight hundred and sixteen, and which then were and have continued ever since to be solely the Property of Her Majesty's Subjects, shall be deemed to be *British Ships* for all the Purposes of Trade within the said Limits, including the *Cape of Good Hope*, any thing in this Act or in any other Act or Acts passed in this present Session of Parliament to the contrary notwithstanding.

Certificate of Production of Cape Wine.

XCIII. And be it enacted, That it shall be lawful for the Shipper of any Wine the Produce of the *Cape of Good Hope* or of its Dependencies which is to be exported from thence to go before the Chief Officer of the Customs, and make and sign a Declaration before him that such Wine was really and *bonâ fide* the Produce of the *Cape of Good Hope* or of its Dependencies; and such Officer is hereby authorized and required to grant a Certificate thereof (1), setting forth in such Certificate the Name of the Ship in which the Wine is to be exported, and the Destination of the same.

Certificate of Production of Goods in Guernsey, &c.

XCIV. And be it enacted, That it shall be lawful for any Person who is about to export from any of the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark* to the United Kingdom, or to any of the *British Possessions* in *America* or the *Mauritius*, any Goods of the Growth or Produce of any of those Islands, or any Goods manufactured from Materials which were the Growth or Produce thereof, or of the United Kingdom, or of Materials Duty-free in the United Kingdom, or whereupon the Duty has been there paid, and not drawn back, to go before any Magistrate of the Island from which the Goods are to be exported, and make and sign before him a Declaration that such Goods, describing the same, are of such Growth or Produce, or of such Manufacture, and such Magistrate shall administer and sign such Declaration; and thereupon

(1) To be produced in the United Kingdom. See Cap. 86. § 41.

the Governor, Lieutenant Governor, or Commander in Chief of the Island from which the Goods are to be exported shall, upon the Delivery to him of such Declaration, grant a Certificate (1) under his Hand of the Proof contained in such Declaration, stating the Ship in which and the Port to which, in the United Kingdom or in any such Possession, the Goods are to be exported; and such Certificate shall be the proper Document to be produced at such Ports respectively in proof that the Goods mentioned therein are of the Growth, Produce, or Manufacture of such Islands respectively.

XCV. And be it enacted, That no Brandy, Geneva, or other Spirits (except Rum of the *British* Plantations) shall be imported into or exported from the Islands of *Jersey, Guernsey, Alderney, or Sark*, or any one of them, or be removed from any one to any other of the said Islands, or be carried Coastwise from any one Part to any other Part of any one of the said Islands, or shall be shipped in order to be so removed or carried, or shall be waterborne for the Purpose of being so shipped in any Vessel of less Burden than Sixty Tons, nor in any Cask or other Vessel capable of containing Liquids not being of the Size or Content of Twenty Gallons at the least; and that all Brandy, Geneva, or other Spirits imported, exported, removed, carried, shipped, or waterborne contrary hereto shall be forfeited, together with the Vessel or Boat importing, exporting, removing, or carrying the same, and all the Guns, Furniture, Ammunition, Tackle, and Apparel thereof: Provided always, that nothing herein contained shall extend to any Spirits imported in Glass Bottles in square-rigged Ships as Part of the Cargo thereof, nor to any Spirits being really intended for the Consumption of the Seamen and Passengers during their Voyage, and not being more in Quantity than is necessary for that Purpose.

Spirits not to be imported into or exported from *Jersey, Guernsey, Alderney, or Sark*, except in Vessels of Sixty Tons and in Casks of Twenty Gallons at the least.

XCVI. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to subject to Forfeiture or Seizure, under any of the Provisions of this Act, any Boat not exceeding the Burden of Ten Tons for having on board at any one Time any

Not to extend to Vessels of Ten Tons supplying Island of *Sark*, having Licence so to do.

(1) To be produced in the United Kingdom. See Cap. 86. § 43.

Foreign Spirits of the Quantity of Ten Gallons or under, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey* for the Purpose of being employed in carrying Commodities for the Supply of the said Island of *Sark*, which Licence such Officer of Customs is hereby required to grant, without taking any Fee or Reward for the same: Provided also, that every such Boat having on board at any one Time any greater Quantity of Spirits than Ten Gallons, unless such greater Quantity of Spirits shall be in Casks or Packages of the Size and Content hereinbefore required (1), shall be forfeited.

Penalty on Persons found on board Vessels liable to Forfeiture within One League of Guernsey, &c.

XCVII. And be it enacted, That every Person who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under any Act relating to the Revenue of Customs, for being found within One League of the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, having on board or in any Manner attached or affixed thereto, or conveying or having conveyed, in any Manner, such Goods or other Things as subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been on board any Vessel or Boat from which any Part of the Cargo shall have been thrown overboard during Chase, or staved or destroyed, shall forfeit the Sum of One hundred Pounds.

Re-exportation of British Coals in Foreign Ships.

XCVIII. And be it enacted, That it shall not be lawful for any Person to re-export from any of Her Majesty's Possessions abroad to any Foreign Place in any Foreign Ship any Coals the Produce of the United Kingdom, except upon Payment of the Duty to which such Coals would be liable upon Exportation from the United Kingdom to such Foreign Place; and that no such Coals shall be so shipped at any of such Possessions to be exported to any *British* Place until the Exporter or the Master of the exporting Vessel shall have given Bond, with One sufficient Surety, in Double the Value of the Coals, that such Coals shall not be landed at any Foreign Place.

Penalty for using Docu-

XCIX. And be it enacted, That if any Person shall, in any of Her Majesty's Possessions abroad, counterfeit or

falsify, or wilfully use when counterfeited or falsified, any Entry, Warrant, Cocket, Transire, or other Document for the unlading, lading, entering, reporting, or clearing any Ship or Vessel, or for the landing, shipping, or removing of any Goods, Stores, Baggage, or Article whatever, or shall by any false Statement procure any Writing or Document to be made for any such Purposes, or shall falsely make any Oath or Affirmation required by this Act, or shall forge or counterfeit a Certificate of the said Oath or Affirmation, or shall publish such Certificate knowing the same to be so forged or counterfeited, every Person so offending shall for every such Offence forfeit the Sum of Two hundred Pounds; and such Penalty shall and may be prosecuted, sued for, and recovered in like Manner and by such Ways and Means as any Penalty may be prosecuted, sued for, and recovered under the Provisions and Directions of this Act.

ments counter-
feited or falsi-
fied.

C. And whereas by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of King *William* the Fourth, intituled *An Act to continue certain Acts relating to the Island of Newfoundland, and to provide for the Appropriation of all Duties which may hereafter be raised within the said Island*, Provision was made for the Appropriation of the net Produce of all Duties levied within the said Colony by any Act of Parliament then or thereafter to be in force there, and for the Deduction from and out of such net Proceeds in each and every Year of a Sum not exceeding Six thousand five hundred and fifty Pounds, to be applied in the Manner, for the Purposes, and under the Authority therein mentioned: And whereas Doubts may arise whether the Provisions aforesaid, or some of them, were not repealed or abrogated by some or one of the Acts passed in a Session of Parliament holden in the Third and Fourth Years of the Reign of His said Majesty King *William* the Fourth; for the Removal of such Doubts be it therefore declared and enacted, That nothing contained in any Act passed in that Session of Parliament, or in the present Session of Parliament, did or doth repeal, abrogate, annul, or alter the said recited Act, or any Part thereof, or any of the Provisions therein contained; but that from and out of the net Proceeds of all Duties levied from Year to Year within the said Colony of *Newfoundland* by any Act of

2 & 3 W. 4. c. 78.
not repealed by
any Act passed
in Third and
Fourth Years
of King William
the Fourth, or
in the present
Session of Par-
liament.

the said last-mentioned Session of Parliament, or any Act thereafter passed or to be passed, such Deduction shall be annually made as in the said recited Act is mentioned; and that the Sum of Money so from Year to Year to be deducted shall be applied from Time to Time in such Manner, and for such Purposes, and under such Authority as in the said recited Act is particularly mentioned and set forth.

Alteration of
Act.

CI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P. XCIV.

An Act for the regulating the Trade of the *Isle of Man*. [4th August 1845.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for regulating the Trade of the Isle of Man*, whereby the Laws of Customs in relation to the Trade of the *Isle of Man* were consolidated: And whereas since the passing of the said Act divers Acts and Parts of Acts for the further Amendment of the Law in that respect have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Acts and Parts of Acts should be consolidated into One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Effect for all the Purposes therein mentioned, except where any other Commencement is herein particularly directed.

3 & 4 W. 4. c. 60.

Commencement
of Act.

II. And be it enacted, That in lieu of all Duties of Customs (except the Duties of Customs on Corn, Grain, Meal, or Flour,) now payable by Law upon the Importation of Goods, Wares, or Merchandize into the *Isle of Man* there shall be raised, levied, collected, or paid unto Her Majesty, Her Heirs and Successors, the several Duties in Table to be levied on Goods imported into the Isle of Man, except on Corn, Grain, Meal, or Flour.

Duties of Customs as the same are respectively set forth in Figures in the Table herein-after contained, denominated Table of Duties, upon the Importation or bringing into the *Isle of Man* of the several Goods, Wares, or Merchandize in the said Table mentioned, according to the Quantity or Value thereof specified in the said Table, and so in proportion for any greater or less Quantity or Value of the same; (that is to say,)

TABLE OF DUTIES.

A TABLE of the DUTIES of CUSTOMS payable on GOODS, WARES, and MERCHANDIZE imported or brought into the ISLE OF MAN.

	£	s.	d.
Coals from the United Kingdom - -	Free.		
Coffee, the Import Duties in the United Kingdom not having been there paid thereon - - - per lb.	0	0	2
Hemp - - - -	Free.		
Hops from the United Kingdom -	Free.		
Iron - - - -	Free.		
Spirits; videlicet, Brandy, Foreign the Gallon	0	4	6
Geneva, Foreign the Gallon	0	2	6
Rum of the British Possessions the Gallon	0	1	6
Such Spirits not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.			
Sugar, Muscovado, of the British Possessions, and such other Sugar as if entered for Consumption in the United Kingdom would be subject, under any Act of the present Session of Parliament, to a Duty less than Sixty-three Shillings the Cwt. the Cwt.	0	1	0
Sugar, refined in the United Kingdom from raw Sugar whereupon the Import Duties have there been paid - the Cwt.	0	9	0

				£	s.	d.
Tea; videlicet,						
Bohea	-	-	the lb.	0	1	0
Green	-	-	the lb.	0	1	0
Tobacco	-	-	the lb.	0	1	6
Segars	-	-	the lb.	0	3	0
Wine	-	-	the Ton of 252 Gallons	12	0	0
Wood, Foreign; videlicet,						
Timber Eight Inches square and upwards, per Load of Fifty Cubic Feet				0	8	0
Timber and Wood Goods, the Produce of the British Possessions				Free.		
Eau de Cologne, per Flask (30 not containing more than One Gallon)				0	0	4
Or per Gallon				0	10	0
Liqueurs - - - per Gallon				0	10	0
Goods, Wares, and Merchandize brought from the United Kingdom, and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty				Free.		
Goods, Wares, and Merchandize the Growth, Produce, or Manufacture of and brought from the United Kingdom, and not herein-before charged with Duty				Free.		
Goods, Wares, and Merchandize, not the Growth, Produce, or Manufacture of the United Kingdom, but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon				Free.		
Goods, Wares, and Merchandize imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein-before charged with Duty, or declared to be free of Duty, for every One hundred Pounds of the Value thereof				15	0	0

III. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, from Time to Time, by any Order or

Power to the Lords of the Treasury to remit and to re-impose the

Duties levied
on unenum-
erated Articles.

Orders under their Hands, to declare that all or any Articles legally importable into the *Isle of Man* and not enumerated in the said Table, and upon which the said Duty of Fifteen Pounds for every Hundred Pounds Value is hereby imposed, shall and may, from and after a Day to be named in the said Order or Orders, be imported from the Places and in the Manner in the said Order or Orders mentioned into the *Isle of Man* Duty-free, and that such Articles shall be imported Duty-free accordingly so long as such Order or Orders or any Part thereof affecting such Articles shall continue in force: Provided always, that it shall be lawful for the said Commissioners, or any Three or more of them, at any Time and from Time to Time as they shall consider expedient, by any further Order under their Hands to revoke the whole or any Part of such Order or Orders for admitting the aforesaid Articles or any of them into the *Isle of Man* Duty-free, such Order of Revocation to take effect from a Day to be named therein: Provided also, that all Orders of the Commissioners of Her Majesty's Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes, twice at least within Fourteen Days from the Date of such Orders respectively, and that a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to be
published in the
Gazette, and
laid before
Parliament.

Certain Goods
importable only
under Licence.

IV. And be it enacted, That the several Sorts of Goods enumerated or described in the Schedule to this Act annexed, denominated "Schedule of Licence Goods," shall not be brought into the *Isle of Man*, nor laden on board any Vessel to be carried from any Place to the *Isle of Man*, without the Licence of the Commissioners of Her Majesty's Customs first obtained, nor in greater Quantities in the whole in any One Year than the respective Quantities of such Goods specified in the said Schedule, and that such Goods shall not be so brought into the said *Isle of Man*, except from the respective Places set forth in the said Schedule, and according to the Rules subjoined thereto: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, upon

Lords of the
Treasury may
permit the
Importation

sufficient Cause to them appearing, by any Order under their Hands to permit the Importation into the *Isle of Man* of such additional Quantity of such several Sorts of Goods or any of them, in any One Year, beyond the Quantities named in the said Table as they shall in their Discretion consider expedient.

of additional
Quantities.

V. And be it enacted, That every Application for Licence to import any of the Goods aforesaid into the *Isle of Man* shall be made in Writing, and delivered between the Fifth Day of *May* and the Fifth Day of *July* in each Year to the Collector or Comptroller of the Port of *Douglas* in the said Isle; and such Application shall specify the Date thereof, and the Name, Residence, and Occupation of the Person applying, and the Description and Quantity of each Article for which such Licence is required; and all such Applications, with such Particulars, shall be entered in a Book, to be kept at the Custom House at the Port of *Douglas*, and to be there open for public Inspection during the Hours of Business, and on the Fifth Day of *July* in each Year such Book shall be closed, and within Fourteen Days thereafter the Collector and Comptroller shall make out and sign a true Copy of such Entries, specifying the Applicants resident and the Applicants not resident in the said Isle, and deliver or transmit such Copy to the Governor or Lieutenant Governor of the said Isle for the Time being.

Application for
Licence to be
delivered to
Officers at
Douglas be-
tween 5th *May*
and 5th *July*.

VI. And be it enacted, That within Fourteen Days after the Receipt of such Copy the Governor or Lieutenant Governor of the said Isle shall allot the whole Quantity of each Article in the first place among the Applicants resident in the said Island; and in case the whole Quantity of any Article shall not have been applied for by Residents, he shall then allot the Quantity not so applied for among the non-resident Applicants, in such Proportions in all Cases as he shall judge most fair and equitable; and shall cause a Report thereon to be drawn up in Writing, and sign and transmit the same to the Commissioners of Her Majesty's Treasury, and shall cause a Duplicate of such Report so signed to be transmitted to the Commissioners of Her Majesty's Customs.

Governor to
allot Quantities;

and report to
Treasury and
Commissioners
of Customs.

VII. And be it enacted, That upon Receipt of such Duplicate Report the Commissioners of Her Majesty's

Commissioners
of Customs to

grant Licences
according to
Report of
Governor.

Customs shall grant Licences, to continue in force for any Period until the Fifth Day of *July* then next ensuing, for the Importation into the *Isle of Man* of the Quantities of such Goods as are allowed by Law to be so imported, with their Licence, according to the Allotments in such Report, and dividing the whole Portion allotted to any one Applicant into several Licences, as they shall be desired and see fit; and such Licences shall be transmitted without Delay to the Collector and Comptroller of *Douglas*, to be by them delivered to the different Applicants, after taking Bond for the same under the Provisions of this Act.]

Before Delivery
of Licences,
Bond to be
given.

VIII. And be it enacted, That previous to the Delivery of any such Licences to the Persons to whom they are granted, the Collector and Comptroller of *Douglas* shall take the Bond of such Persons to Her Majesty, Her Heirs and Successors, with sufficient Security for the Importation or bringing in of the Articles for which the said Licences are respectively granted on or before the Fifth Day of *July* succeeding the Delivery of such Licences, with such Conditions, and for the Forfeiture of such Sums, not exceeding the whole Amount of Duties payable in *Great Britain* on Articles similar to those specified in such Licences, as the Commissioners of Her Majesty's Customs shall think fit: Provided always, that if any Person to whom such Licence shall be granted shall not have given such Bond prior to the Fifth Day of *January* next after the granting such Licence, it shall be lawful for the Governor or Lieutenant Governor of the said Isle, if he shall see fit, to transfer any such Licence to any other Person who shall be desirous to take up the same, and willing and able to give such Bond; and such Transfer shall be notified by Endorsement on the Licence signed by such Governor or Lieutenant Governor.

Licence not
taken up may
be transferred
by Governor.

Parties not
importing the
whole of the
Goods for which
they have ob-
tained a Licence
disqualified
from having a
Licence the fol-
lowing Year.

IX. And be it enacted, That if any Person, having obtained a Licence under this Act, shall not import or bring into the said Island the whole Quantity of Goods permitted to be imported or brought under such Licence, during the Period for which it shall remain in force, such Person shall be thereby disqualified from receiving a Licence in the Year next following that in which his previous Licence shall have been granted.

X. And be it enacted, That if any Person or Persons shall counterfeit or falsify any Licence or other Document required for the Importation into the *Isle of Man* of any Goods which would otherwise be prohibited to be imported into the said Isle, or shall knowingly or wilfully make use of any such Licence or other Document so counterfeited or falsified, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

Counterfeiting
or falsifying Li-
cence, Penalty
500*l*.

XI. And be it enacted, That it shall not be lawful to re-export from the *Isle of Man* any Goods which have been imported into the said Isle with Licence of the Commissioners of Her Majesty's Customs as aforesaid; and that it shall not be lawful to carry any such Goods Coastwise from one Part of the said Isle to another, except in Vessels of Fifty Tons Burden at the least, and in the same Packages in which such Goods were imported into the said Isle; and that it shall not be lawful to remove any Wine from one Part of the said Isle to another, except in such Packages or in Bottles.

Licence Goods
not to be re-ex-
ported, nor to be
carried Coast-
wise unless in
Vessels of Fifty
Tons.

Wine removed
Inland, &c.

XII. And be it enacted, That all Trade from any Port of the United Kingdom to the *Isle of Man*, or from the *Isle of Man* to any Port of the United Kingdom, shall be deemed to be a Coasting Trade, and all Ships employed therein shall be deemed to be Coasting Ships, and shall be subject to all the Rules, Regulations, Penalties, and Forfeitures now in force relating to Coasting Ships, and that the *Isle of Man* shall not be deemed in Law with reference to any Part of the United Kingdom to be Parts beyond the Seas in any Matter relating to the Trade or Navigation or Revenue of this Realm: Provided nevertheless, that all Goods subject to Duty under this Act, when brought from the United Kingdom into the *Isle of Man*, and all Vessels bringing the same, shall be liable to the same Rules and Regulations as are required by Law in respect of Goods imported into the said Isle from Foreign Parts, and in respect of the Vessels importing the same; and that all the Penalties and Forfeitures inflicted by Law for any Breach of the said Rules and Regulations shall attach upon all Goods so brought into the said Isle contrary to the said Rules and Regulations, or any of them, and upon all Persons committing any Breach of any such Rule or Regulation; and such Penalties and Forfeitures shall and may be recovered in the same Manner

Trade with the
Isle of Man to
be a Coasting
Trade.

Goods subject
to Duty when
brought from
the United
Kingdom to be
so brought sub-
ject to the same
Law as Goods
imported from
Foreign Parts.

as any Penalty or Forfeiture may be recovered by any Act relating to the Customs.

Corn, Grain,
Meal, and Flour
may be ware-
housed in the
Island.

XIII. And whereas an Act was passed in this present Session of Parliament, intituled *An Act for the warehousing of Goods*: And whereas it is expedient to extend the Operation of the said Act to the *Isle of Man*, so far as relates to the Privilege of warehousing Foreign Corn, Grain, Meal, and Flour; be it therefore enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, by their Warrant, from Time to Time, to appoint any Port or Ports in the *Isle of Man* to be warehousing Ports, for the Purposes herein-after declared, and that it shall be lawful for the Commissioners of Her Majesty's Customs, subject to the Authority and Directions of the Commissioners of Her Majesty's Treasury, by their Order from Time to Time to appoint in what Warehouses or Places of special Security or of ordinary Security, as the Case may require, in such Port or Ports, and in what different Parts or Divisions of such Warehouses or Places, and in what Manner, any Corn, Grain, Meal, or Flour may and may only be warehoused and kept and secured, without Payment of any Duty upon the first Entry thereof, and also in such Order to direct in what Cases (if any) Security by Bond shall be required in respect of any Warehouse so appointed by them.

Provisions of
Warehousing
Act to extend
to the Isle of
Man in respect
of Corn, Grain,
Meal, and Flour.
Publication of
Notice.

XIV. And be it enacted, That all Provisions, Powers, Regulations, and Enactments in the said last-mentioned Act contained shall be construed and taken to extend and be applicable to the *Isle of Man*, so far as relates to the Articles of Corn, Grain, Meal, and Flour: Provided always, that whenever in the said last-mentioned Act any Notice, Order, or Appointment is directed to be published in the *London* or *Dublin* Gazettes respectively, it shall be necessary that any such Notice, Order, or Appointment in respect of any Warehouse in the *Isle of Man* shall be published in the *London* and *Dublin* Gazettes.

Warehoused
Goods may be
removed into
Isle of Man,
under certain
Regulations.

XV. And be it enacted, That Goods warehoused in the United Kingdom may be removed from such Warehouses into any Port in the *Isle of Man*, under such Security and under such Regulations and Conditions as are set forth in the said last-mentioned Act with respect to the Removal of warehoused Goods from one warehousing Port to another

warehousing Port in the United Kingdom, save and except so far as the said last-mentioned Regulations apply to the warehousing such Goods at their Port of Destination.

XVI. And be it enacted, That nothing herein contained shall be deemed or construed to affect the Laws and Regulations now in force respecting Duties and Drawbacks of Excise on Goods exported or carried, or to be exported or carried, to the *Isle of Man*. Act not to affect Regulation as to Excise Drawbacks.

XVII. And be it enacted, That any Sugar upon which any Bounty shall have been allowed under any Act relating to the Customs may be removed to the *Isle of Man*. Sugar on which Bounty has been allowed may be removed to the Isle of Man.

XVIII. And be it enacted, That before any such Sugar shall be removed to the *Isle of Man*, the Person removing the same shall give Bond to Her Majesty with One sufficient Surety that the same shall be duly landed in the *Isle of Man*, and shall not be re-landed in any Part of the United Kingdom. Bond to be given not to re-land such Sugar.

XIX. And be it enacted, That it shall not be lawful to carry any Goods not being of the Growth, Produce, or Manufacture of the *Isle of Man* or of the United Kingdom, except Corn, Grain, Meal, or Flour, in any Ship from the *Isle of Man* to any Port or Place in the United Kingdom. (1) Foreign Goods, except Corn, not to be brought from the Isle of Man to the United Kingdom.

XX. And be it enacted, That the several Sorts of Goods enumerated or described in the Schedule hereinafter contained, denominated "Schedule of Prohibitions," shall not be imported or brought into the *Isle of Man*; (that is to say,) Goods prohibited to be imported into the Isle of Man.

SCHEDULE OF PROHIBITIONS.

Goods the Produce or Manufacture of Places within the Limits of the *East India* Company's Charter, except from the United Kingdom :

Cotton Yarn, Cotton Cloth, Linen Cloth, Glass Manufactures, Woollen Manufactures, unless *bonâ fide*

(1) See Cap. 86. § 63.

laden in and brought directly from the United Kingdom :

British distilled Spirits : (1)

Sugar or Rum other than that enumerated and described in the Table of Duties herein-before contained :

All Goods prohibited to be imported into the United Kingdom to be used or consumed therein on account of the Sort or Description of the same.

Goods imported, exported, or carried Coastwise, contrary to the Act, forfeited.

Penalty.

XXI. And be it enacted, That if any Goods shall be imported into or exported from the *Isle of Man*, or shall be carried Coastwise from one Part of the said Isle or from the United Kingdom to the said Isle, or from the said Isle to the United Kingdom, or shall be waterborne or brought to any Wharf or Place with Intent to be waterborne, to be so exported or carried, or shall be removed by Land within the said Isle, contrary to any of the Directions or Provisions of this Act, the same and all the Packages containing the same shall be forfeited, together with all Ships, Vessels, or Boats, and all Cattle and Carriages used or employed therein ; and every Person offending therein shall forfeit for every such Offence the Sum of One hundred Pounds, or the full Amount of all Duties which would be payable in respect of similar Goods the Produce of Foreign Countries if imported into and entered for Home Consumption in the United Kingdom, at the Election of the Commissioners of Her Majesty's Customs.

Limiting the Quantity of Spirits, Tea, and Tobacco for Use of Seamen :

in decked Vessels ;

in open Boats.

XXII. And be it enacted, That if any decked Vessels, bound from the *Isle of Man* to any Port of *Great Britain* or *Ireland*, shall have on board for the Use of the Seamen any Spirits exceeding the Quantity of Half a Gallon for each Seaman, or any Tobacco exceeding One Pound Weight for each Seaman, or any Tea exceeding Two Pounds Weight for the whole of the Seamen on board such Vessel, or if any open Boat, bound from the *Isle of Man* to any Port of *Great Britain* or *Ireland*, shall have on board for the Use of the Seamen any Spirits exceeding One Quart for each Seaman, or any Tobacco exceeding One Half of a Pound Weight for each Seaman, or any Tea exceeding One Pound Weight for the whole of the Seamen on board such Boat, all such Foreign Spirits,

(1) See the 49th Section of 7 G. 4. c. 48. exempted from Repeal by 3 & 4 W. 4. c. 50. § 2.

Tobacco, and Tea respectively, together with the Casks or Packages containing the same, and also every such Vessel or Boat, together with all the Guns, Furniture, Ammunition, Tackle, and Apparel thereof, shall be forfeited.

XXIII. And be it enacted, That before any Goods shall be shipped in the *Isle of Man*, to be carried to the United Kingdom as being the Produce or Manufacture of that Island, Proof shall be made by the written Declaration of some competent Person to the Satisfaction of the Collector and Comptroller of the Customs, at the Port of Shipment, that such Goods, describing and identifying the same, are the Produce or the Manufacture, as the Case may be, of the said Island, and in such Declaration shall be stated the Name of the Person by whom such Goods are intended to be shipped; and such Person at the Time of shipping (not being more than One Month after the Date of such Declaration) shall make and subscribe a Declaration before such Collector or Comptroller that the Goods to be shipped are the same as are mentioned in such Declaration; and thereupon the Collector and Comptroller shall, on demand, give to the Master of the Ship in which the Goods are to be exported a Certificate (1) of such Proof of Produce or of Manufacture having been made in respect of such Goods, describing the same, and setting forth the Name of the Party and of the Ship, and of the Master thereof, and the Destination of the Goods; and such Certificate shall be received at the Port in the United Kingdom into which the said Goods shall be brought, instead of the Certificate of the Governor, Lieutenant Governor, or Commander in Chief of the said Island, heretofore required.

Certificate for
Goods the Pro-
duce of the Isle
of Man.

XXIV. And be it enacted, That the Duties of Customs herein-before imposed shall be raised, levied, collected, paid, recovered, and accounted for under the Authority and Direction or under the Management and Control of the Commissioners of Her Majesty's Customs; and, except the necessary Charges of raising, collecting, levying, recovering, and accounting for the same, the said Rates and Duties shall from Time to Time (subject to the Deductions herein-after mentioned) be brought and paid into the

Management
of Duties.

Duties to be
paid into the
Exchequer.

(1) As to the Production of this Certificate in the United Kingdom, see Cap. 86. § 43.

Part of Duties
may be retained
for Expences
of the Govern-
ment.

Receipt of Her Majesty's Exchequer, distinctly and apart from all other Branches of the Public Revenue, and shall go to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided always, that any of the Collectors of Customs of the said Isle shall retain, and he and they is and are hereby authorized and required, agreeably to such Directions as shall from Time to Time be given for that Purpose by the Commissioners of Her Majesty's Customs, to retain, such Sum or Sums of Money in his or their Hands as may be sufficient to defray the necessary Expences attending the Government of the said *Isle of Man*, and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been or may hereafter be deemed fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said *Isle of Man*; and upon the Amount of the said Expences and Charges being ascertained, the said Commissioners are hereby authorized to direct the same to be paid out of the said Monies so retained to such Person or Persons as may be entitled to receive the same.

Annual Sum
of 2,300*l.* to
be paid from
Duties under
this Act to
Harbour Com-
missioners.

XXV. And whereas by an Act passed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled *An Act to repeal the Duties granted by an Act passed in the Eleventh Year of His present Majesty, for repairing, amending, and supporting the several Harbours and Sea-ports in the Isle of Man, and for granting new Duties in lieu thereof, and for giving further Powers to the Commissioners appointed under the said Act*, certain Harbour Duties were imposed on Ships and Vessels, Goods, Wares, and Merchandize, arriving at and imported into the said *Isle of Man*, and certain Rates were also imposed on Boats and Vessels employed in the Herring Fishery on the Coasts thereof: And whereas the said Duties and Rates have subsequently to the passing of the said last-mentioned Act been repealed: Now, be it enacted, That the Collectors of Customs of the said Isle shall, out of the Duties collected under this Act, pay to Her Majesty's Receiver General in the said *Isle of Man*, to be applied as herein-after is mentioned, yearly and every Year, the Sum of Two thousand three hundred Pounds, by Four equal quarterly Payments, on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October*, the first of such Payments to be

made on the First Day of *October* One thousand eight hundred and forty-five, and the same shall be applied by the said Harbour Commissioners to the same Purposes to which the Duties imposed by the said last-mentioned Act and since repealed would be lawfully applicable by the said Harbour Commissioners.

XXVI. And be it enacted, That all Vessels registered at any Port in the said *Isle of Man*, and *bonâ fide* the Property of Inhabitants thereof, being so registered as of the Burden of Fifty Tons, shall, with regard to Coasting Trade between the *Isle of Man* and the United Kingdom, be entitled to all the Privileges to which Vessels registered in the United Kingdom as of Sixty Tons Burden are by Law entitled.

Manx Vessels of Fifty Tons registered Burden to be entitled to the Privileges of Vessels of Sixty Tons.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Alteration of Act.

SCHEDULE to which the foregoing Act refers.

SCHEDULE OF LICENCE GOODS.

Spirits (1); (videlicet,)				
Foreign Brandy	-	-	-	Gallons 20,000
— Geneva	-	-	-	Ditto 20,000
Liqueurs	-	-	-	Ditto 50
Eau de Cologne	-	-	-	Ditto 50
From the United Kingdom, or from any Place from which the same might be imported into the United Kingdom, for Consumption therein.				
Rum of the British Plantations	-	-	-	Gallons 70,000
Tobacco	-	-	-	Pounds 55,000
Segars	-	-	-	Ditto 5,000
From the United Kingdom.				

RULES REFERRED TO IN THIS ACT.

1. All such Goods to be imported or brought into the Port of Douglas, and by Her Majesty's Subjects and in

(1) The Distillation of Spirits in the Isle of Man is prohibited. See 3 & 4 W. 4. c. 50. § 2. referring to 7 G. 4. c. 48. § 49.

British Ships or Vessels of the Burden of Fifty Tons or upwards.

2. Such Tobacco to be shipped only in Ports in the United Kingdom where Tobacco is allowed to be imported and warehoused without Payment of Duty.

3. Such Rum, Brandy, and Geneva to be imported or brought in Casks containing not less than Twenty Gallons each.

4. That the respective Quantities of such Spirits shall be estimated according to the Strength of Proof by Sykes's Hydrometer.

5. No Drawback of Excise to be allowed on any such Goods until a Certificate of the due Landing of the Goods at the Port of Douglas be produced from the Collector and Comptroller of the Customs at that Port. (1)

6. If any such Goods be laden at any Foreign Port or Place, the Species and Quantity of such Goods, with the Marks, Numbers, and Denominations of the Casks or Packages containing the same, shall be endorsed on the Licence, and signed by the British Consul at the Port of Lading, or if there be no British Consul, by Two known British Merchants.

7. Upon Importation into the Port of Douglas of any such Goods the Licence for the same shall be delivered up to the Collector or Comptroller of that Port.

(1) See Cap. 86. § 101.

APPENDIX.

6° & 7° GUL. IV. Cap. 11.

An Act for the Registration of Aliens, and to repeal an Act passed in the Seventh Year of the Reign of His late Majesty for that Purpose. [19th May 1836.]

ALIENS.
—

WHEREAS in the Seventh Year of the Reign of His late Majesty an Act was passed, intituled *An Act for the Registration of Aliens*: And whereas it is expedient that the said Act should be repealed, and that Provisions in respect of Aliens should be made in lieu of the Regulations therein contained: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and is hereby repealed. 7 G. 4. c. 54.

Sect. 2. And be it further enacted, That the Master of every Vessel which after the Commencement of this Act shall arrive in this Realm from Foreign Parts shall immediately on his Arrival declare in Writing to the Chief Officer of the Customs at the Port of Arrival whether there is, to the best of his Knowledge, any Alien on board his Vessel, and whether any Alien hath, to his Knowledge, landed therefrom at any Place within this Realm, and shall in his said Declaration specify the Number of Aliens (if any) on board his Vessel, or who have, to his Knowledge, landed therefrom, and their Names, Rank, Occupation, and Description, as far as he shall be informed thereof; and if the Master of any such Vessel shall refuse or neglect to make such Declaration, or shall wilfully make a false Declaration, he shall for every such Offence forfeit the Sum of Twenty Pounds, and the further Sum of Ten Pounds for each Alien who shall have been on board at the Time of the Arrival of such Vessel, or who shall have, to his Knowledge, landed therefrom within this Realm, whom such Master shall wilfully have refused or neglected to declare; and in case such Master shall neglect or refuse forthwith to pay such Penalty, it shall be lawful for any Officer of the Customs, and

Masters of Vessels arriving from Foreign Parts to declare what Aliens are on board or have landed from their Vessels.

Penalty for Omission of Declaration.

ALIENS.

Not to extend to Foreign Mariners navigating the Vessel.

Alien on Arrival from Abroad to declare his Name, Description, &c. and produce his Passport.

he is hereby required, to detain such Vessel until the same shall be paid : Provided always, that nothing herein-before contained shall extend to any Mariner actually employed in the Navigation of such Vessel during the Time that such Mariner shall remain so actually employed.

Sect. 3. And be it further enacted, That every Alien who shall after the Commencement of this Act arrive in any Part of the United Kingdom from Foreign Parts shall immediately after such Arrival present and show to the Chief Officer of the Customs at the Port of Debarkation, for his Inspection, any Passport which may be in his or her Possession, and declare in Writing to such Chief Officer, or verbally make to him a Declaration, to be by him reduced into Writing, of the Day and Place of his or her landing, and of his or her Name, and shall also declare to what Country he or she belongs and is subject, and the Country and Place from whence he or she shall then have come ; which Declaration shall be made in or reduced into such Form as shall be approved by One of His Majesty's Principal Secretaries of State ; and if any such Alien coming into this Realm shall neglect or refuse to present and show any Passport which may be in his or her Possession, or if he or she shall neglect or refuse to make such Declaration, he or she shall forfeit the Sum of Two Pounds.

Officer of Customs to register the Declaration, and deliver a Certificate to the Alien.

Sect. 4. And be it further enacted, That the Officer of the Customs to whom such Passport shall be shown and Declaration made shall immediately register such Declaration in a Book to be kept by him for that Purpose (in which Book Certificates shall be printed in Blank, and Counterparts thereof, in such Form as shall be approved by One of His Majesty's Principal Secretaries of State,) and shall insert therein the several Particulars by this Act required in proper Columns, in both Parts thereof, and shall deliver one Part thereof to the Alien who shall have made such Declaration.

Officer of Customs to transmit Declaration, &c. to Secretary of State.

Sect. 5. And be it further enacted, That the Chief Officer of the Customs in every Port shall within Two Days transmit a true Copy of the Declaration of every Master of a Vessel, and a true Copy of every such Certificate, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State, and if such Alien shall have arrived from any Foreign Country in *Ireland* he shall transmit a true Copy of such Declaration and of such Certificate to the Chief Secretary for *Ireland*.

Certificate of Alien departing the Realm to be transmitted to Secretary of State.

Sect. 6. And be it further enacted, That any Alien about to depart from this Realm shall before his or her Embarkation deliver any Certificate which he or she shall have received under the Provisions of this Act to the Chief Officer of the Customs at the Port of Departure, who shall insert therein that

such Alien hath departed this Realm, and shall forthwith transmit the same to One of His Majesty's Principal Secretaries of State, or to the Chief Secretary for *Ireland*, as the Case may be, in like Manner as herein-before is directed in respect to the Certificate given to an Alien on his or her Arrival in this Realm.

ALIENS.
—

Sect. 7. And be it further enacted, That if any Certificate issued to any Alien by virtue of this Act shall be lost, mislaid, or destroyed, and such Alien shall produce to One of His Majesty's Justices of the Peace Proof thereof, and shall make it appear to the Satisfaction of such Justice that he or she hath duly conformed with this Act, it shall be lawful for such Justice and he is hereby required to testify the same under his Hand, and such Alien shall thereupon be entitled to receive from One of His Majesty's Principal Secretaries of State, or from the Chief Secretary for *Ireland*, as the Case may be, a fresh Certificate, which shall be of the like Force and Effect as the Certificate so lost, mislaid, or destroyed.

New Certificates to be issued in lieu of such as are lost.

Sect. 8. And be it further enacted, That all Certificates herein-before required to be given shall be given without Fee or Reward whatsoever; and every Person who shall take any Fee or Reward of any Alien or other Person, for any Certificate, or any other Matter or Thing done under this Act, shall forfeit for every such Offence the Sum of Twenty Pounds; and every Officer of the Customs who shall refuse or neglect to make such Entry as aforesaid, or grant any Certificate thereon, in pursuance of the Provisions of this Act, or shall knowingly make any false Entry, or neglect to transmit the Copy thereof, or to transmit any Declaration of the Master of a Vessel, or any Declaration of Departure, in manner directed by this Act (1), shall forfeit for every such Offence the Sum of Twenty Pounds.

Certificate to be granted without Fee.

Penalty.

Sect. 9. And be it further enacted, That if any Person shall wilfully make or transmit any false Declaration, or shall wilfully forge, counterfeit, or alter, or cause to be forged, counterfeited, or altered, or shall utter, knowing the same to be forged, counterfeited, or altered, any Declaration or Certificate hereby directed, or shall obtain any such Certificate under any other Name or Description than the true Name and Description of the Alien intended to be named and described, without disclosing to the Person granting such Certificate the true Name and Description of such Alien, or shall falsely pretend to be the Person intended to be named and described in any such Certificate, every Person so offending shall, upon Conviction thereof before Two Justices, either forfeit any Sum not exceeding One hundred Pounds, or be imprisoned for any Time not exceeding Three Calendar Months, at the Discretion of such Justices.

Penalty for forging Certificates, &c.

(1) See §§ 4, 5, and 6.

ALIENS.

—
Prosecution of
Offences.

Sect. 10. And be it further enacted, That all Offences against this Act shall be prosecuted within Six Calendar Months after the Offence committed; and all such Offences shall be prosecuted before Two or more Justices of the Peace of the Place where the Offence shall be committed, who are required, in default of Payment of any pecuniary Penalty, to commit the Offender to the Common Gaol for any Time not exceeding One Calendar Month, unless the Penalty shall be sooner paid, where such Penalty shall not exceed the Sum of Twenty Pounds, and forthwith to report to One of His Majesty's Principal Secretaries of State, or to Chief Secretary for *Ireland*, as the Case may require, the Conviction of every Offender under this Act, and the Punishment to which he is adjudged; and no Writ of Certiorari or of Advocation or Suspension shall be allowed to remove the Proceedings of any Justices touching the Cases aforesaid, or to supersede or suspend Execution or other Proceeding thereupon.

Not to affect
Foreign Mi-
nisters or their
Servants;

nor Aliens who
have been resi-
dent Three
Years, and
obtained Cer-
tificate thereof;

nor Aliens
under Fourteen
Years of Age.

Sect. 11. Provided always, and be it further enacted, That nothing in this Act contained shall affect any Foreign Ambassador or other Public Minister duly authorized, nor any Domestic Servant of any such Foreign Ambassador or Public Minister, registered as such according to Law, or being actually attendant upon such Ambassador or Minister; nor any Alien who shall have been continually residing within this Realm for Three Years next before the passing of this Act, or who shall hereafter at any Time complete such Residence of Three Years, and who shall have obtained from One of His Majesty's Principal Secretaries of State, or from the Chief Secretary for *Ireland*, a Certificate thereof; nor any Alien, in respect of any Act done or omitted to be done, who shall be under the Age of Fourteen Years at the Time when such Act was so done or omitted to be done: Provided always, that if any Question shall arise whether any Person alleged to be an Alien, and to be subject to the Provisions of this Act, is an Alien or not, or is or is not subject to the said Provisions or any of them, the Proof that such Person is, or by Law is to be deemed to be, a natural-born Subject of His Majesty, or a Denizen of this Kingdom, or a naturalized Subject, or that such Person, if an Alien, is not subject to the Provisions of this Act or any of them, by reason of any Exception contained in this Act or otherwise, shall lie on the Person so alleged to be an Alien and to be subject to the Provisions of this Act.

Commence-
ment of Act.

Sect. 12. And be it further enacted, That this Act shall commence and take effect from and after the First Day of *July* in the present Year.

Act may be
altered this
Session.

Sect. 13. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

6^o & 7^o VICT. c. 74.

An Act to amend and continue for Two Years, and to the End of the then next Session of Parliament, the Laws in *Ireland* relative to the registering of Arms, and the Importation, Manufacture, and Sale of Arms, Gunpowder, and Ammunition. [22d August 1843.]

ARMS, &c.
IRELAND.

Sect. 26. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Person to import or bring into *Ireland* any Gun, Pistol, or other Fire-arms, or any Lock, Stock, Barrel, or other Part of any Gun, Pistol, or other Fire-arms, or any Bullets, Gunpowder, or Ammunition, without having first obtained a Licence for that Purpose under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief or Under Secretary, which Licence shall be in force for such Time as shall be therein limited, and shall specify the Number and particuar Kind of Guns, Pistols, or other Arms, or of Locks, Stocks, Barrels, or other Parts thereof, and the Quantity of Bullets, Gunpowder, or Ammunition thereby licensed to be imported or brought.

No Arms, Gunpowder, &c. shall be imported into *Ireland* without Licence from the Lord Lieutenant.

Sect. 27. Provided always, and be it enacted, That it shall be lawful for any Subject of Her Majesty coming into *Ireland* to import or bring such Arms as are usually carried for personal Defence or for sporting, but no other, upon registering such Arms, and the Name and usual or intended Place of Abode of such Person, with the Chief Officer of the Port where such Person shall land, and obtaining from such Officer a Licence for the same, which Licence shall be granted without any Fee or Reward, and shall authorize and empower such Person to keep such Arms, without incurring any of the Penalties or Forfeitures of this Act, until the General Sessions of the Peace to be holden Twenty-one clear Days next after the Date thereof for the County or Place wherein such Person shall reside, and for such further Period, not exceeding Six Calendar Months, as may be limited by any Two or more Justices of the Peace assembled at Petty Sessions for the District wherein such Person may abide, and which they are hereby authorized to limit on the Application of such Person, and upon Proof of his not being permanently resident in *Ireland*.

Persons may import Arms for personal Defence or sporting, on registering the same with Officer of the Port.

Sect. 28. And be it enacted, That if any Person shall, contrary to the Provisions of this Act, import or bring into *Ireland* any Gun, Pistol, or other Fire-arms, or any Stock, Lock, Barrel, or other Part of any Gun, Pistol, or other Fire-arms, or any Bullets, Gunpowder, or Ammunition, all such Articles shall

Arms, &c. imported without Licence to be forfeited ;

A., &c.
IRELAND.

and Penalty of
10*l.* on Im-
porter.

be forfeited to Her Majesty, and shall and may be seized by any Justice of the Peace or Peace Officer, or by any Officer of Her Majesty's Excise or Customs; and all such Articles shall, when so seized, be deposited in such Place or Places as shall be appointed for the Purpose by the said Lord Lieutenant or other Chief Governor or Governors; and every Importer or Bringer thereof, whether Owner thereof or not, shall for every such Importation or bringing forfeit any Sum not exceeding Ten Pounds.

How Offences
against this
Act incurring a
Penalty not
exceeding 20*l.*
may be tried.

Sect. 45. And be it enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalty, Fine, or Forfeiture not exceeding Twenty Pounds shall and may in every Case be heard, adjudged, and determined in a summary Way by and before Two or more Justices of the Peace in Petty Sessions assembled for the County, Town, or Place within which such Offence shall have been committed or the Cause of Complaint arisen, or in which the Party offending or complained against shall happen to be; and upon Complaint being made before any One Justice of the Peace as aforesaid of any Offence against the Provisions of this Act he shall issue a Summons requiring the Party offending or complained against to appear at the Petty Sessions of the District at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending or complained against, or left at his last Place of Residence or of Business; and the Justices at such Petty Sessions shall, upon the Appearance of the Party complained against, or Proof of the personal Service of such Summons, or upon Proof of such Summons having been left at the last Place of Residence or of Business of the Party offending or complained against, proceed to the Adjudication of such alleged Offence; and that if, upon Confession of the Party, or on the Oath of any One or more credible Witness or Witnesses (which Oath the said Justices are hereby empowered and required to administer), the Party accused shall appear to have committed such Offence, then and in every such Case the said Justices shall and may impose upon the Offender such Fine, Forfeiture, or Penalty as by this Act such Offender is made subject and liable to; and the Amount of such Fine or Penalty, with or without the Costs of Conviction, to be ascertained by such Justices, shall be forthwith paid by the Party so convicted as aforesaid; and in case of Nonpayment thereof then the same, together with the Costs of Conviction and Recovery, to be ascertained as aforesaid, shall and may, by Warrant under the Hands and Seals of such Justices (which they are hereby authorized and required to grant), be levied and recovered by Distress and Sale of the Goods and Chattels of such Offender, wheresoever the same can be found; and that the Surplus (if any) arising from such Distress and Sale, after deducting such

Penalty to be
recovered by
Distress and
Sale of Offender's
Goods.

Fine or Penalty, together with the Costs of Conviction, and the reasonable Expences attendant upon such Distress and Sale, shall be rendered to the Owner or Owners of the Goods and Chattels so distrained; and that if upon the Return of such Warrant it shall appear that no sufficient Distress can be found, or in case the said Fine or Penalty, and such Costs as aforesaid, shall not be forthwith paid, or in case it shall appear to such Justices, either by Confession of the Offender or otherwise, that such Offender hath not sufficient Goods or Chattels whereout such Fine or Penalty and Costs may be levied, it shall and may be lawful to and for the said Justices, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol or any House of Correction or other Prison in the said County, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month where the Fine or Penalty imposed shall not exceed Five Pounds, and not exceeding Three Months in any Case, unless such Fine or Penalty, together with all such Costs and Expences as aforesaid, shall be sooner paid and satisfied.

ARMS, &c.
IRELAND.

If no Goods or Chattels, Offender may be imprisoned.

Sect. 47. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at his and their Discretion, to remit or mitigate any Penalty or Forfeiture or Punishment incurred under this Act, and to order the Restoration of any Arms, Gunpowder, or Ammunition, or other Article seized under the Authority of this Act, upon such Terms and subject to such Conditions as to him or them shall seem fitting.

Lord Lieute-
nant may remit
Penalties, &c.

Sect. 48. And be it enacted, That if in any Prosecution or Proceeding under this Act any Question shall arise as to whether any Person is duly licensed, within the Meaning thereof, for any of the Purposes for which a Licence is required by this Act, or as to whether any Person has given any Notice or Declaration required by this Act, the Proof that such Person is so licensed or has given such Notice or Declaration shall lie on the Party against whom such Prosecution or Proceeding shall be had, and not on the Party complaining; provided that it shall be lawful for the Court to impose Costs upon any Person who may have made a vexatious Complaint.

Proof of Li-
cense to lie on
the Person
claiming the
Benefit of it.

Sect. 58. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act shall and may cause the Record of such Conviction to be drawn up in the Manner and Form following, or in any Words to the same Effect, as the Case shall require; (*videlicet,*)

General Form of Conviction.

' to wit. } BE it remembered, That on this Day
 ' of A.B. is convicted before Year of the Reign Her Ma-
 A A 3

ARMS, &c.
IRELAND.

‘ jesty’s Justices of the Peace for the said County of
 ‘ [or for the Division of the said County of or for
 ‘ the City, Liberty, or Town of as the Case shall
 ‘ happen to be], for and
 ‘ do adjudge him [or her or them, as the Case may be,] to pay
 ‘ and forfeit for the same the Sum of and do also
 ‘ adjudge [here name the Articles, Arms, &c.] to be forfeited
 ‘ [as the Case may be]. Given under the Day and
 ‘ Year aforesaid.’

Appeal to
Quarter Ses-
sions.

Sect. 60. Provided always, and be it enacted, That if any Person or Persons convicted of any Offence punishable by this Act shall think him, her, or themselves aggrieved by the Judgment of the Justices before whom he, she, or they shall have been convicted, it shall be lawful for such Person or Persons from Time to Time to appeal to the Justices at the next General or General Quarter Sessions of the Peace which shall be held for the City, County, Division, Liberty, Town, or Place where such Judgment shall have been given, and that the Execution of such Judgment shall in such Case be suspended, the Person or Persons so convicted entering into a Recognizance within Twenty-four Hours of the Time of such Conviction, with Two sufficient Sureties, in double the Sum which such Person or Persons shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and Determination of the Justices at their said next General or General Quarter Sessions, which Recognizance the Justices before whom such Conviction shall be had are hereby empowered and required to take; and the Justices in the said General or General Quarter Sessions are hereby authorized and required to hear and finally determine the Matter of every such Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party; and if upon hearing the said Appeal the Judgment of the Justices before whom the Appellant or Appellants shall have been convicted shall be confirmed, such Appellant or Appellants shall forthwith pay down the Sum he, she, or they shall have been adjudged to have forfeited, together with such Costs as the said Justices in their said General or General Quarter Sessions shall award to be paid to the Prosecutor or Informer for defraying the Expences sustained by reason of any such Appeal; and in default of the Appellant’s paying the same, any Two Justices, or any One Justice of the Peace having Jurisdiction in the Place into which any such Appellant or Appellants shall escape, or where he, she, or they shall reside, shall and may, by Warrant under their Hands and Seals or his Hand and Seal, commit any such Appellant or Appellants to the Common Gaol of the City, County, Division, or Place where he, she, or they shall be apprehended, until he, she, or they shall make Payment of such Penalty, and of the Costs

Determination
to be final.

Costs.

Appellant not
paying the Sum
adjudged
against him to
be committed.

and Charges which shall be adjudged on the Conviction; but if the Appellant or Appellants in any such Appeal shall make good his, her, or their Appeal, and be discharged of the said Conviction, reasonable Costs shall be awarded to the Appellant or Appellants against such Prosecutor or Informer, and which Costs shall and may be recovered by the Appellant or Appellants against any such Prosecutor or Informer in like Manner as Costs given at any General or General Quarter Sessions are recoverable: Provided always, that no Person shall be detained in Prison for any such Offence for any greater Length of Time than Three Calendar Months.

ARMS, &c.
IRELAND.

Costs to Appellant making good his Appeal.

Sect. 61. And be it enacted, That this Act shall commence and take effect from such Day, not later than Six Calendar Months next after the passing of this Act, as the Lord Lieutenant or other Chief Governor or Governors of Ireland in Council shall, by Order to be published in the *Dublin Gazette*, fix and appoint (1), and shall be and continue in force for Two Years from such Day, and from the Expiration of such Two Years until the End of the then next Session of Parliament; and that until such Day so to be fixed and appointed as aforesaid an Act passed in the Forty-seventh Year of the Reign of His Majesty King George the Third, intituled *An Act to prevent improper Persons from having Arms in Ireland*, and the several Acts continuing and amending the same, and also an Act passed in the First Year of the Reign of His late Majesty, intituled *An Act to regulate for One Year the Importation of Arms, Gunpowder, and Ammunition into Ireland, and the making, removing, selling, and keeping of Arms, Gunpowder, and Ammunition in Ireland*, and the several Acts continuing and amending the same, shall be and continue in force; but that from and after such Day the said Acts shall be and the same are hereby repealed, without Prejudice, nevertheless, to any Proceeding had or the Recovery of any Penalty incurred under the Provisions of the said Acts.

Commencement and Duration of this Act, and Repeal of 47 G. 3. Sess. 2. c. 54. and 11 G. 4. & 1 W. 4. c. 44.

[The other Sections of this Act do not relate to the Customs.]

(1) The 13th Day of November 1843.

CARDS.

9^o GEO. 4. Cap. 18.

An Act to repeal the Stamp Duties on Cards and Dice made in the United Kingdom, and to grant other Duties in lieu thereof; and to amend and consolidate the Acts relating to such Cards and Dice, and the Exportation thereof. [9th May 1828.]

[This is not an Act of Customs but of Stamps, but it is necessary to give those Parts which relate to Importation and Exportation.]

Playing Cards or Dice, not being stamped for Home Use, may be exported under the Regulations herein mentioned.

Sect. 28. And whereas it is expedient to permit the Exportation of playing Cards and Dice, without the same being stamped for Use in the United Kingdom, and without having paid the Duties imposed by this Act, and that Regulations should be made with respect to such Exportation; be it therefore enacted, That playing Cards or Dice, not being stamped for Use in the United Kingdom, and not having paid the Duties imposed by this Act, may be exported under the Conditions and Regulations herein-after mentioned and set forth; that is to say, before such playing Cards or Dice, not having been stamped for Use in the United Kingdom, and not having paid the Duties imposed by this Act, shall be removed from the licensed House or Place of any Maker thereof, for the Purpose of being exported from the United Kingdom to any Parts beyond the Seas, or to the *Isle of Man*, Three Days Notice in Writing shall be given to the proper Officer at the Head Office of Stamps in *London* or *Dublin* respectively, or at the Office of the Distributor of Stamps at *Cork* (so long as it shall be lawful to make Cards at *Cork*), by the licensed Maker thereof, of the Quantity intended to be exported, the Port or Place in the United Kingdom from whence the same are intended to be exported, the Name of the Ship or Vessel, and of the Master thereof, in which the same are intended to be exported, and the Port or Place and Country to which the same are intended to be carried and conveyed; and such Maker shall within such Space of Three Days enter into a Bond, with sufficient Surety, to be approved by the Commissioners of Stamps or their Officer, to His Majesty, His Heirs or Successors, in a penal Sum of Treble the Amount of all the Duties which would be payable on such Cards or Dice respectively if the same had been made or intended for Use or Sale in the United Kingdom, conditioned to export such Cards or Dice, in the Ship or Vessel to be named in such Bond, to some Port or Place beyond the Seas, to be mentioned in such Bond, within a Time to be limited in such Bond, and to land the same (the Dangers of the Seas excepted) in such Port or Place, and

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not to lade or put any such Cards or Dice on board any other Ship or Vessel, either in any Port or Place in the United Kingdom, or elsewhere, or at open Sea, and that such Cards or Dice, or any Part thereof, shall not be relanded in any Part of the United Kingdom, and also conditioned to produce to the said Commissioners, within the respective Times herein-after mentioned, a Certificate that such Cards or Dice have been duly landed at such Port or Place; and after the Expiration of such Three Days mentioned in such Notice, a Certificate under the Hand of some Officer of Stamps shall be given, expressing the several Matters required in such Notice, and also certifying that such Bond has been given according to the Provisions of this Act for the Exportation of any such Cards or Dice, and shall be delivered to the proper Officer of the Customs at such Port or Place in the United Kingdom from which such Cards or Dice are intended to be exported, and such Certificate shall be given and received without Fee or Reward; and after such Notice shall have been given, and such Bond as herein-before mentioned shall have been duly made and executed, and such Certificate granted (but not otherwise), it shall and may be lawful for any licensed Maker to remove such playing Cards or Dice intended for Exportation, when completely finished for Use, from the House or Place where the same shall be made, without Payment of any Duties for the same; provided that every Pack of such playing Cards shall contain an Ace of Spades duly marked or stamped with the proper Mark or Stamp appointed to be used for Cards to be exported; and provided also, that such Cards or Dice shall, before being so removed, be respectively enclosed in Packs or Pairs in such Wrappers or Jews as the Commissioners of Stamps shall approve, and shall be tied and fastened by a Label or Thread or Seal marked with the proper Mark, Stamp, or Device appointed to be used for Cards or Dice to be exported; and all such Cards or Dice so entered for Exportation shall be laden or put on board the Ship or Vessel mentioned in such Bond as aforesaid in the Presence of the proper Officer of Customs.

Sect. 29. And be it further enacted, That such Bond herein-before directed to be given with relation to Cards and Dice exported shall be discharged upon producing to the said Commissioners of Stamps, within the respective Times herein-after limited, a Certificate that the Cards or Dice in such Bond mentioned were duly landed in the proper Port or Place beyond the Seas; that is to say, within Six Months from the Date of such Bond, in the Case of Cards or Dice entered to be landed in any Port or Place in the *Isle of Man*; and within Twelve Months from the Date of such Bond, in the Case of Cards or Dice entered for or landed in any other Port or Place in *Europe*; and within Eighteen Months from the Date of such Bond, in

How Bonds
shall be dis-
charged.

CARDS.
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the Case of Cards or Dice entered for or landed in any of His Majesty's Colonies or Plantations in *America* or *Africa*, or in any of the Territories of the United States of *America*; and within Twenty-four Months from the Date of such Bond, in the Case of Cards or Dice entered for or landed in any Port or Place at or beyond the *Cape of Good Hope*; and every such Certificate for such Cards or Dice as aforesaid, which shall be landed at any Port or Place where any Officer of His Majesty's Customs shall be resident, shall be signed by the proper Officer of His Majesty's Customs there; and if no Officer of His Majesty's Customs shall be resident there, then by the *British* Consul, or other Person acting as such there; and if no Officer of Customs or *British* Consul, or other Person acting as such, shall be there resident, then such Certificate shall be under the Seal of the Chief Magistrate in such Port or Place, or under the Hands and Seals of Two known *British* Merchants, then being at such Port or Place: Provided always, that if in any Case it shall be proved that such Cards or Dice so exported were taken by Enemies, or were lost in the Seas or by Fire, the Examination and Proof whereof shall be left to the Judgment of the Commissioners of Stamps, then and in such Case it shall be lawful for the said Commissioners and they are hereby authorized to discharge such Bond.

Cards or Dice exported contrary to Law, or relanded after Entry for Export, may be seized, &c.

Sect. 30. And be it further enacted, That all playing Cards and Dice which shall be exported contrary to the Directions of this Act, or which, after Entry thereof for Exportation, shall be landed at or found in any Place in the United Kingdom, or which shall be landed at or found in the *Isle of Man* after Entry thereof for Exportation elsewhere than to the said Isle (except for the Purpose of exporting the same under the Regulations of this Act), shall be forfeited, and shall and may be seized by any Officer of Customs or Excise, and may be proceeded upon to Condemnation, according to any Laws of Customs or Excise then in force, or may be seized and carried away by any Officer of Stamps, or Person duly authorized by the Commissioners of Stamps, and shall and may be lodged and secured in any Place appointed by the said Commissioners for that Purpose, and shall be sold or destroyed as the Commissioners shall direct; and if any Person shall sell or expose to Sale, or shall offer for Use, in any Part of the United Kingdom, or shall knowingly have in his Possession or upon his Premises, or shall use or permit to be used in any Place in the United Kingdom, any playing Cards marked, stamped, and distinguished as Cards for Use in the *Isle of Man*, or for Exportation, such Cards shall be forfeited, and may be seized and carried away, and lodged and secured as above in this Act provided; and every Person so offending, for every Pack of Cards so sold or exposed to Sale, or offered for Use, or used or permitted to

Persons using, &c. such Cards to forfeit 20*l*.

be used, or in the Possession of such Persons, contrary to this Act, shall forfeit the Sum of Twenty Pounds.

CARDS.

Sect. 31. And be it further enacted, That if any Person shall reland, or shall cause or procure to be relanded, or shall assist in the relanding, in any Part of the United Kingdom, any Parcel of Cards or Dice after the same shall have been entered and shipped for Exportation from any Part of the United Kingdom, or shall land such Cards or Dice, or cause the same to be landed, in any Port or Place other than the Port or Place to which such Cards or Dice shall be consigned and named in the Certificate to be delivered by the Officer of Stamps to the Officer of Customs in pursuance of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

Penalty on fraudulently relanding Cards, after Entry and Shipment for Exportation, elsewhere than in the Port of Consignment.

Sect. 32. And be it further enacted, That it shall not be lawful for any Person to put on board any Ship or Vessel for Exportation to the *Isle of Man*, or to import into or to use in that Island, any playing Cards, unless in Packs each containing an Ace of Spades stamped or marked with the Stamp or Device appointed by the Commissioners of Stamps for Cards intended for Use in the *Isle of Man*, in the Manner by this Act directed, or an Ace of Spades duly stamped or marked for Sale or Use in the United Kingdom; and all playing Cards not being in Packs each containing an Ace of Spades duly stamped and marked for Use in the *Isle of Man* or in the United Kingdom, which shall be put on board, or shall be brought to any Wharf or Place to be put on board, any Ship or Vessel, for Exportation to the *Isle of Man*, or which shall be imported into or found in the *Isle of Man*, shall be forfeited; and all playing Cards which, having been duly put on board, or brought to any Wharf to be put on board, any Ship or Vessel, for Exportation to the *Isle of Man*, or having been duly imported into or found in the *Isle of Man*, shall be relanded or found in any other Part of the United Kingdom, except for the Purpose of shipping the same under the Regulations of this Act, shall also be forfeited; and all Cards so forfeited shall and may be seized by any Officer of Customs or Excise, and shall and may be proceeded upon to Condemnation, according to any Laws of Customs or Excise in force at the Time, or may be seized and carried away by any Officer of Stamps, or Person duly authorized thereto, and lodged and secured in any Place appointed for that Purpose; and every Person who shall sell or expose to Sale, or shall offer for Use, or shall use or permit to be used, in any Part of the *Isle of Man*, or shall knowingly have in his Possession or upon his Premises within the said Island, any playing Cards or Ace of Spades made within the United Kingdom for Exportation, or any Pack of Cards not containing an

No Cards to be exported into or used in the *Isle of Man*, unless stamped for such Island, or for Use in the United Kingdom.

Penalty 20*l*.

CARDS.
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Ace of Spades stamped or marked for Use in the *Isle of Man* or in the United Kingdom as aforesaid, shall for every such Pack of Cards or Ace of Spades forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered in the same Manner as any Penalty incurred in the said Island under any Act relating to the Revenue of Customs may be sued for and recovered under such Act: Provided always, that nothing in this Act contained shall alter or affect any thing respecting the Exportation of playing Cards to the *Isle of Man*, contained in an Act made and passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for regulating the Trade of the Isle of Man*.

6 G. 4. c. 115.

Foreign Cards without Name of Foreign Maker, or with any British Cardmaker's Name thereon, not to be warehoused under 6 G. 4. c. 112. but to be seized and forfeited.

Sect. 33. And be it further enacted, That no playing Cards which, having been made out of the United Kingdom, shall be imported into any Part thereof, shall be deposited in any Warehouse pursuant to an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the warehousing of Goods*, unless the Name and Place of Residence of the Foreign Maker of such Cards be printed or marked in distinct and legible Characters on One Card of every Pack of such Cards, and on every Wrapper thereof; and if any One or more of such Cards, or any Wrapper, Jew, Label, or other Paper, Matter, or Thing, enclosing, annexed to, or deposited with any One or more of such Cards, shall be printed or marked in any way with the Name of any Maker of Cards duly licensed within the United Kingdom, such Cards shall not be permitted to be warehoused under the said recited Act, any thing in the said Act to the contrary in anywise notwithstanding; and all such Foreign Cards, Wrappers, Jews, Labels, and other Things on which the Name and Place of Residence of the Foreign Maker thereof shall not be printed or marked in distinct and legible Characters as aforesaid, or on any of which shall be printed or marked the Name of any Maker of Cards duly licensed within the United Kingdom, shall be forfeited, and may be seized by any Officer of Customs or Excise, and proceeded upon to Condemnation, according to any Laws of Customs or Excise then in force.

3^o & 4^o GUL. 4. Cap. 93.An Act to regulate the Trade to *China* and *India*.

[28th August 1833.]

WHEREAS the exclusive Right of trading with the Dominions of the Emperor of *China*, and of trading in Tea, now enjoyed by the United Company of Merchants of *England* trading to the *East Indies*, will cease from and after the Twenty-second Day of *April* One thousand eight hundred and thirty-four: And whereas it is expedient that the Trade with *China*, and the Trade in Tea, should be open to all His Majesty's Subjects, and that the Restrictions imposed on the Trade of His Majesty's Subjects with Places beyond the *Cape of Good Hope* to the *Streights of Magellan*, for the Purpose of protecting the exclusive Rights of Trade heretofore enjoyed by the said Company, should be removed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and to make further Provisions with respect to such Trade, and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as it relates to Vessels registered in India*, shall be repealed, except such Parts (1) thereof as relate to *Asiatic* Sailors, *Lascars*, being Natives of the Territories under the Government of the *East India* Company, but so as not to revive any Acts or Parts of Acts by the said Act repealed; and except also as to such Voyages and Adventures as shall have been actually commenced under the Authority of the said Act; and except as to any Suits and Proceedings which may have been commenced, and shall be depending on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four; and from and after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four the Enactments herein-after contained shall come into operation.

CHINA AND
INDIA.
—Repeal of the
Act 4 G. 4. c. 80.
except as herein
mentioned.

Sect. 2. And be it further enacted, That so much of an Act passed in the Sixth Year of the Reign of His late Majesty

Repeal of Pro-
hibitions upon

(1) For the Clauses saved, see Appendix 4 GEO. 4. c. 80. §§ 20, 21. 23. 25. to 34.

CHINA AND
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the Importation
of Tea and
Goods from
China, imposed
by 6 G. 4. c. 107.
and 6 G. 4. c. 114.

All British Sub-
jects may carry
on Trade be-
yond the Cape
of Good Hope
to the Streights
of Magellan.

List of Persons
on board any
Ship arriving in
India to be deli-
vered to Officers
of Customs.

Penalty for
Neglect, 100*l*.

Penalties how
recoverable.

King George the Fourth, intituled *An Act for the general Regulation of the Customs*, as prohibits the Importation of Tea, unless from the Place of its Growth, and by the *East India* Company, and into the Port of *London*; and also so much of the said Act as prohibits the Importation into the United Kingdom of Goods from *China*, unless by the *East India* Company, and into the Port of *London*; and also so much of the said Act as requires that the Manifests of Ships departing from Places in *China* shall be authenticated by the Chief Supercargo of the *East India* Company; and also that so much of another Act passed in the said Sixth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act to regulate the Trade of the British Possessions Abroad*, as prohibits the Importation of Tea into any of the *British Possessions* in *America*, and into the Island of *Mauritius*, except from the United Kingdom, or from some other *British Possessions* in *America*, and unless by the *East India* Company or with their Licence, shall be, from and after the Twenty-second Day of *April* One thousand eight hundred and thirty-four, repealed; and thenceforth (notwithstanding any Provision, Enactment, Matter, or Thing made for the Purpose of protecting the exclusive Rights of Trade heretofore enjoyed by the said Company, in any Charter of the said Company, in the said Act or any other Act of Parliament contained,) it shall be lawful for any of His Majesty's Subjects to carry on Trade with any Countries beyond the *Cape of Good Hope* to the *Streights of Magellan*.

Sect. 3. Provided always, and be it enacted, That the Person having the Command of any Ship or Vessel arriving at any Place in the Possession of or under the Government of the said Company shall make out, sign, and deliver to the principal Officer of the Customs, or other Person thereunto lawfully authorized, a true and perfect List, specifying the Names, Capacities, and Description of all Persons who shall have been on board such Ship or Vessel at the Time of its Arrival; and if any Person having the Command of such Ship or Vessel shall not make out, sign, and deliver such List, he shall forfeit One hundred Pounds, one Half Part of which Penalty shall belong to such Person or Persons as shall inform or sue for the same, and the other Half Part to the said Company; and if the said Company shall inform or sue for the same, then the whole of the said Penalty shall belong to the said Company.

Sect. 4. And be it enacted, That the Penalty or Forfeiture aforesaid shall be recoverable by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record in the United Kingdom of *Great Britain* and *Ireland*, and in *India*

or elsewhere, or in any Courts in *India* to which Jurisdiction may hereafter be given by the Governor General of *India* in Council in that Behalf, to be commenced in the County, Presidency, Colony, or Settlement where the Offender may happen to be; or by Conviction in a summary Way before Two Justices of the Peace in the United Kingdom, or in *India*, of the County or Presidency where such Offender may happen to be; and upon such Conviction the Penalty or Forfeiture aforesaid shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender; and for Want of such sufficient Distress every such Offender may be committed to the Common Gaol or House of Correction for the Space of Three Calendar Months.

Sect. 5. And whereas it is expedient for the Objects of Trade and amicable Interchange with the Dominions of the Emperor of *China* that Provision be made for the Establishment of a *British* Authority in the said Dominions; be it therefore enacted, That it shall and may be lawful for His Majesty, by any Commission or Commissions or Warrant or Warrants under His Royal Sign Manual, to appoint not exceeding Three of His Majesty's Subjects to be Superintendents of the Trade of His Majesty's Subjects to and from the said Dominions, for the Purpose of protecting and promoting such Trade, and by any such Commission or Warrant as aforesaid to settle such Gradation and Subordination among the said Superintendents (One of whom shall be styled the Chief Superintendent), and to appoint such Officers to assist them in the Execution of their Duties, and to grant such Salaries to such Superintendents and Officers, as His Majesty shall from Time to Time deem expedient.

Sect. 6. And be it enacted, That it shall and may be lawful for His Majesty, by any such Order or Orders, Commission or Commissions, as to His Majesty in Council shall appear expedient and salutary, to give to the said Superintendents, or any of them, Powers and Authorities over and in respect of the Trade and Commerce of His Majesty's Subjects within any Part of the said Dominions; and to make and issue Directions and Regulations touching the said Trade and Commerce, and for the Government of His Majesty's Subjects within the said Dominions; and to impose Penalties, Forfeitures, or Imprisonments for the Breach of any such Directions or Regulations, to be enforced in such Manner as in the said Order or Orders shall be specified; and to create a Court of Justice with Criminal and Admiralty Jurisdiction for the Trial of Offences committed by His Majesty's Subjects within the said Dominions, and the Ports and Havens thereof, and on the High Seas within One hundred Miles of the Coast of *China*;

Three Superintendents of the China Trade to be appointed.

His Majesty in Council may issue Orders and Commissions to have force in China;

and issue Regulations touching the Trade;

and create a Court of Justice for Trial of Offences in that Part.

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and to appoint One of the Superintendents herein-before mentioned to be the Officer to hold such Court, and other Officers for executing the Process thereof; and to grant such Salaries to such Officers as to His Majesty in Council shall appear reasonable.

Superintendents, &c. not to accept Gifts, or to trade.

Sect. 7. And be it enacted, That no Superintendent or Commissioner appointed under the Authority of this Act shall accept for or in discharge of his Duties any Gift, Donation, Gratuity, or Reward, other than the Salary which may be granted to him as aforesaid, or be engaged in any Trade or Traffic for his own Benefit, or for the Benefit of any other Person or Persons.

A Tonnage Duty to be imposed, to be appropriated towards defraying the Expence of Establishments in China.

Sect. 8. And be it enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, by any Order or Orders to be issued from Time to Time, to impose, and to empower such Persons as His Majesty in Council shall think fit to collect and levy from or on account of any Ship or Vessel belonging to any of the Subjects of His Majesty entering any Port or Place where the said Superintendents or any of them shall be stationed, such Duty on Tonnage and Goods as shall from Time to Time be specified in such Order or Orders not exceeding in respect of Tonnage the Sum of Five Shillings for every Ton, and not exceeding in respect of Goods the Sum of Ten Shillings for every One hundred Pounds of the Value of the same, the Fund arising from the Collection of which Duties shall be appropriated, in such Manner as His Majesty in Council shall direct, towards defraying the Expences of the Establishments by this Act authorized within the said Dominions: Provided always, that every Order in Council issued by Authority of this Act shall be published in the *London Gazette*; and that every such Order in Council, and the Amount of Expence incurred, and of Duties raised under this Act, shall be annually laid before both Houses of Parliament.

Limitation of Actions.

Sect. 9. And be it enacted, That if any Suit or Action shall be brought against any Person or Persons for any thing done in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Six Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of His Majesty's Courts having Civil Jurisdiction, and then within Six Months after the Plaintiff or Plaintiffs and Defendant or Defendants shall have been within the Jurisdiction of any such Court; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not else-

where, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of His Majesty's Courts having Civil Jurisdiction ; and the Defendant or Defendants shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff or Plaintiffs, or their Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for Acts done in the Execution of his Office by an Act passed in the Twenty-fourth Year of the Reign of King *George the Second*, intituled *An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants* ; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give the special Matter in Evidence ; and if the Matter or Thing complained of shall appear to have been done under the Authority and in execution of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than the same ought to have been brought or laid in as aforesaid, then the Jury shall find for the Defendant or Defendants ; and if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue any Action after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be taken against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

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24 G. 2. c. 44.

General Issue.

If Action
brought after
Time limited,
&c.

Treble Costs.

4 GEO. 4. Cap. 80.

CHINA AND
INDIA,
LASCARS.

An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the *East India Company*, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as it relates to Vessels registered in *India* (1).

[18th July 1823.]

[The following are the Clauses referred to by Note (1) to the first Section of the preceding Act.]

Lascars and
Natives of India
not to be British
Mariners within
the Meaning of
34 G. 3. c. 68.

Sect. 20. Provided always, and be it further enacted, That no *Asiatic* Sailors, Lascars, or Natives of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the *East India Company*, although born in Territories, Countries, Islands, or Places under the Government of His Majesty or of the *East India Company*, shall at any Time be deemed or taken to be *British* Sailors, Seamen, or Mariners within the Intent and Meaning of an Act passed in the Thirty-fourth Year of the Reign of His late Majesty (2), intituled *An Act for the further Encouragement of British Mariners, and for other Purposes therein mentioned*, or of any other Act or Acts of Parliament relating to the Navigation (3) of *British* Ships by Subjects of His Majesty, for the Purpose of entitling any Ship or Vessel to be deemed to be a *British* Ship navigated according to Law, and to have the Privileges and Advantages of *British* Ships having the Master and Three Fourths of the Mariners *British* Subjects, any thing in the said recited Act of the Thirty-fourth Year aforesaid, or in any other Act or Acts of Parliament or Law or Laws, to the contrary notwithstanding: Provided also, that it shall be lawful for His Majesty, by His Royal Proclamation, upon or after the Commencement of any Hostilities, to permit all Merchant Ships or any other trading Vessels, and all Privateers, to be manned wholly, or in any such Proportions as shall be specified in any such Proclamation, with such *Asiatic* Sailors, Lascars, or Natives aforesaid, for and during such Periods as shall be specified in any such Proclamation as aforesaid.

(1) This Act repealed by 3 & 4 W. 4. c. 93. § 1. except such Parts thereof as relate to Asiatic Sailors, Lascars, being Natives of the Territories under the Government of the East India Company.

(2) This Act not now in force.

(3) See 8 & 9 Vict. c. 88. § 16.

Sect. 21. And whereas Lascars and other Natives of the East are not deemed to be equal in Strength and Use to *European* or other Seamen, and the requiring the Proportion of Three Fourths of *British* Seamen in Ships having as Part of the Crew Lascars and Natives of the East would compel such Ships to carry a larger Number of *British* Seamen than other Ships, or to employ a smaller Number of Lascars and Natives of the East than would be sufficient to make a proper Crew; be it therefore enacted, That any Ship or Vessel duly registered, manned in part with Lascars or Natives of *India*, which shall be commanded by a *British* Master, and navigated by Four *British* Seamen, as Part of the Crew, for every Hundred Tons of her registered Burden, and so in proportion for any Part of a Hundred Tons, shall be deemed, construed, and taken to be navigated according to Law as to the Crew of any such Ship or Vessel, although the Number of such *British* Seamen shall not be equal to the Proportion of Three Fourths of the whole Crew of such Ship or Vessel; any thing in any Act or Acts of Parliament (1) or Law or Laws to the contrary notwithstanding.

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INDIA,
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A Proportion of
British Seamen
to the Tonnage
of any Ship
sufficient.

Sect. 23. Provided always, and be it further enacted, That nothing in this Act or in any other Act or Acts of Parliament contained shall extend or be construed to extend to require any Number of *British* Seamen to be on board as Part of the Crew or Mariners of any Ship or Vessel employed in Trade only between Ports and Places within the Limits of the Charter of the said Company, including the *Cape of Good Hope*.

Act not to re-
quire British
Seamen on
board Vessels
employed in
Trade between
Port and Port.

Sect. 25. And be it further enacted, That it shall and may be lawful to and for the Governor General of *Fort William* in *Bengal*, in Council, and he is hereby required, as soon as may be, to make, ordain, and publish, and from Time to Time as Occasion may require to repeal and alter, and newly to make, ordain, and publish, such Rules and Regulations to be observed by Masters, Officers, and Owners of Ships and Vessels trading under the Authority of this Act, the Crews of which Ships or Vessels shall be wholly or in part composed of *Asiatic* Sailors, Lascars, or Natives of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company, for the due Supply of Provisions, Clothing, and other necessary Accommodation of such *Asiatic* Sailors, Lascars, and Natives aforesaid, whilst they shall be on board such Ships or Vessels, and whilst absent from the Countries or Places to which they shall respectively belong, and until they shall be carried back to the Places to which they may belong or from whence they may have been brought, and for the Conveyance back of such *Asiatic* Sailors, Lascars, or Natives as aforesaid,

Governor of
Fort William
to make Rules,
&c. with respect
to Masters, &c.
of Vessels
trading under
this Act.

(1) See 8 & 9 Vict. c. 88. § 16.

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Such Rules and Regulations to be observed in like Manner as if they had formed Part of this Act.

within a reasonable Time to be fixed by such Rules or Regulations.

Sect. 26. And be it further enacted, That all such Rules and Regulations, until they shall be repealed or altered, shall be observed and performed according to the true Intent and Meaning thereof, in like Manner as if they had been herein inserted and had formed Part of this Act; and a Copy of all and every such Rules and Regulations, signed and authenticated as such by the Secretary for the Time being of the Government of *Bengal*, or by the Secretary for the Time being of the said United Company, shall be deemed and received and taken in and by all Courts, Justices, and other Persons, as full, sufficient, and conclusive Evidence of such Rules and Regulations.

Masters of Vessels to make out List of every Lascar, &c. on board, before such Ship shall be admitted to Entry.

Sect. 27. And be it further enacted, That the Master or other Person having the Command of every Ship or Vessel trading under the Authority of this Act, which from and after the passing of this Act shall arrive at any Port in the United Kingdom of *Great Britain* or *Ireland*, and which shall have on board, or which during any Part of her Voyage shall have had on board, either as Part of her Crew, or in any other Character or for any other Reason, any *Asiatic* Sailor, Lascar, or Native of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company, before such Ship or Vessel shall be admitted to Entry shall make out and exhibit to the principal Officers of the Customs, or other Person thereunto lawfully authorized, a true and perfect List and Description of every such *Asiatic* Sailor, Lascar, or Native aforesaid which shall then be or who during any Part of her Voyage shall have been on board such Ship or Vessel, with a true Account and Statement what shall have become of every such *Asiatic* Sailor, Lascar, and Native aforesaid who may have been and shall not then be on board.

Penalty for Breach of Regulations relative to Lascars, &c.

Sect. 28. And be it further enacted, That for every Breach or Non-observance of any Rule or Regulation to be made, in pursuance of this Act, in relation to *Asiatic* Sailors, Lascars, or Natives aforesaid, which shall have happened or taken place, and for every Omission to make out and exhibit such List, Description, Account, or Statement of and respecting all such *Asiatic* Sailors, Lascars, or Natives aforesaid, as herein is required, the Master or Commander and all and every the Owners and Owner of the Ship or Vessel on board which any such *Asiatic* Sailor, Lascar, or Native aforesaid shall be or shall have been, shall forfeit the Sum of Ten Pounds for every *Asiatic* Sailor, Lascar, or Native aforesaid in respect of whom such Breach, Non-observance, Omission, or Defect shall have happened or taken place, to be recovered against the Master, Commander, and Owners jointly or severally, by Bill, Complaint,

Information, or Action in any of His Majesty's Courts of Record in the United Kingdom of *Great Britain and Ireland*, or in the *East Indies* or elsewhere, to be commenced in the County or Presidency or Place where any such Offender may happen to be, or by Conviction in a summary Way before Two Justices of the Peace in the United Kingdom or in the *East Indies*, of the County or Presidency where any such Offender may happen to be; and of which Sum and Sums so to be forfeited, One Third Part thereof shall go, belong, and be paid to the Person or Persons who shall inform or sue for the same, and the other Two Third Parts thereof shall be paid to such Person or Persons as the Court or Justices before whom the same shall be recovered shall award, to be applied in Payment or Reimbursement of any Expence which may have been incurred by or for the Use of the *Asiatic* Sailor, Lascar, or Native aforesaid, or the respective *Asiatic* Sailors, Lascars, or Natives aforesaid, in respect of whom such Forfeiture or Forfeitures shall have been recovered, or in such other Manner, for his or their Maintenance, Return Home, or Benefit, as the Court or Justices before whom the same shall be recovered shall direct.

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Sect. 29. And for the more easy and speedy Conviction of the Offenders under this Act, be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence under this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the like Effect, as the Case may happen; *videlicet*,

Convictions to
be drawn up
in the following
Form.

BE it remembered, That on the Day of
in the Year of our Lord A.B.
[*the Offender or Offenders*] is [*or are*] convicted before
us, Two of His Majesty's Justices of the Peace for [the
County *or* Presidency, *as the Case may be*], by virtue of an
Act made in the Fourth Year of the Reign of His Majesty
King George the Fourth, intituled [*setting forth the Title of*
this Act], of having [*here state the Offence or Offences*], which
Offence [*or* Offences, *as the Case may be*] has, by Confession
of the Offender [*or* Offenders, *or* the Oath of One or more
credible Witness or Witnesses, *as the Case may be*]; for
which said Offence [*or* Offences, *as the Case may be*,] we do
adjudge that the said Offender [*or* Offenders] hath [*or* have]
forfeited and do pay the Sum of [*the Amount forfeited*]; one
Third Part whereof we do order and direct to be paid to
[*the Informer*], and the other Two Thirds thereof to C.D.
and E.F. [*such Persons as the said Justices shall direct*], to
be applied [*in such Manner as the Case may require*], pursuant
to the Provisions of the said Act. Given under our Hands
and Seals the Day and Year first above written.'

Form of Con-
viction.

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LASCARS.

Recovery of
Penalties.

Sect. 30. And be it further enacted, That all Sums of Money of which any Person shall be so convicted as aforesaid shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender; and that for Want of sufficient Distress every such Offender may be committed to Prison in the Common Gaol or House of Correction for the Space of Three Calendar Months.

Lascars, &c.
convicted of
Vagrancy to be
shipped onboard
of Vessel bound
to the Place
from whence
brought.

Sect. 31. And whereas it may happen that *Asiatic* Sailors, Lascars, and Natives aforesaid may refuse to accept the Maintenance to be provided for them under the Rules and Regulations before referred to, or to return Home in the Ships or Vessels which may be engaged for that Purpose; be it therefore enacted, That if any such *Asiatic* Sailor, Lascar, or Native aforesaid shall at any Time be convicted of an Act of Vagrancy under any of the Laws in force in the United Kingdom respecting Vagrants, it shall and may be lawful to and for the Justice or Justices or Magistrates before whom such Conviction shall take place to order and direct that he shall be shipped on board any Ship or Vessel bound to the Place, or as near as may be to the Place, to which he shall belong or from which he shall have been brought, and the Commander of which shall be willing to take charge of him in order to his being returned thereto, at the Expence of the Person or Persons liable under any Rule or Regulation to be made as before mentioned, or of any other Person being otherwise willing to defray the same; and it shall and may be lawful for the Commander of any such Ship or Vessel having taken charge of such Vagrant, and he is hereby required, to keep and detain him on board his Ship for the Voyage for which he shall be shipped.

Proceedings not
to be quashed
for Want of
Form.

Sect. 32. Provided also, and be it further enacted, That no Conviction, Order, or Proceeding to be made or had by or before any Justices of the Peace or other Magistrate, by virtue of this Act, shall be quashed or vacated for Want of Form; and that the Order of such Justices or other Magistrates shall be final, and that no Proceedings of any such Justices or other Magistrates in pursuance of this Act shall be removable by Certiorari or otherwise.

Actions to be
commenced
within Three
Months.

Sect. 33. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Three Months after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and at the Trial thereof give this Act and

the special Matter in Evidence; and if the Matter or Thing complained of shall appear to have been done under the Authority and in execution of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than as afore mentioned, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall become nonsuit, or discontinue his or her Action after the Defendant shall have appeared, or have a Verdict against him or her, or if, upon Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall and may recover Treble Costs, and have the like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

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Sect. 34. And be it further enacted, That if any *Asiatic* Sailor, Lascar, or Native of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company having been brought to the United Kingdom on board any Ship or Vessel, not being a Ship of War in the Service of His Majesty, shall from and after the passing of this Act be found within the United Kingdom in Distress for Want of Food, Clothing, or other Necessaries, it shall be lawful for the said United Company to supply necessary and reasonable Relief to such Persons, and to maintain them until they shall be sent on board some Ship bound for some Place within the Limits aforesaid, and also to pay, defray, and advance the Money necessary to procure such Persons proper and sufficient Passage to their Homes or Places from which they were brought; and all such Sums as the said Company shall pay for or on account of such Relief or Maintenance, or Passage home, shall constitute and become a joint and several Debt due to the said Company from the Commander, Owner or Owners of such Ship on board whereof such Person or Persons shall have been brought into the said United Kingdom, and shall be recoverable as so much Money paid to and for the Use of such Owner or Owners in any of the Courts of the said United Kingdom, or in the *East Indies* if the Owner shall reside there, in which Actions or Suits for the Recovery of Debts may be sued or prosecuted; and in all such Actions and Suits where the said Company shall recover they shall be entitled to receive full Costs of Suit.

Company to
supply all
Necessaries for
distressed Las-
cars, &c. brought
to this Country
and may recover
Expence from
Owners.

37° GEO. 3. Cap. 117.

CHINA AND
INDIA.

An Act for regulating the Trade to be carried on with the *British Possessions in India* by the Ships of Nations in Amity with His Majesty. (1) [19th July 1797.]

12 C. 2. c. 18.

WHEREAS by an Act passed in the Twelfth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for the encouraging and increasing of Shipping and Navigation*, it was enacted, that from and after the First Day of *December* One thousand six hundred and sixty, and from thenceforward, no Goods or Commodities shall be imported into or exported out of any Lands, Islands, Plantations, or Territories, to His Majesty belonging or in His Possession, or which may hereafter belong unto or be in the Possession of His Majesty, His Heirs and Successors, in *Asia, Africa, and America*, in any other Ship or Ships, Vessel or Vessels, than such as do truly and without Fraud belong unto the People of *England* or *Ireland*, Dominions of *Wales*, or Town of *Berwick-upon-Tweed*, or are the Built of and belonging to any of the said Lands, Islands, Plantations, or Territories, as the Proprietors and right Owners thereof, and whereof the Master and Three Fourths of the Mariners at least are *English*, under certain Penalties and Forfeitures therein mentioned: And whereas it is expedient that the Ships and Vessels of Countries and States in Amity with His Majesty should be allowed to import Goods and Commodities unto and to export the same from the *British Territories in India*, subject to certain Restrictions and Regulations: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, and during the Continuance of the exclusive Trade of the United Company of Merchants of *England* trading to the *East Indies*, and during the Term for which the Possessions of the *British Territories in India* is secured to the said United Company, it shall and may be lawful for the Ships and Vessels of Countries and States in Amity with His Majesty to import into and export from the *British Possessions in India* such Goods and Commodities as they shall be permitted to import into and export from the said Possessions by the Directors of the said Company, who are hereby directed to frame such Regulations for carrying on the Trade to and from the said Possessions, and the Countries and States in Amity with His Majesty, as shall seem to them most conducive to the Interest and Prosperity of the said *British Possessions in India* and of

Vessels of Countries in Amity with His Majesty may import into and export from the British Possessions in India Goods permitted by the East India Directors, not contrary to Treaties or Law.

(1) This Act saved from general Repeal. See 3 & 4 W. 4. c. 50. § 3.

the *British* Empire ; and no Ship or Vessel belonging to any of the Subjects of States or Countries in Amity with His Majesty shall be liable to Seizure, Confiscation, or Forfeiture, or other Penalty, for exporting from or importing into the said *British* Possessions in *India* any Goods or Commodities, the Importation or Exportation of which respectively shall be permitted by the said Regulation ; any thing in the said herein-before recited Act of the Twelfth Year of the Reign of King *Charles* the Second to the contrary notwithstanding : Provided always, that it shall not be lawful for the Directors of the said United Company to frame any Regulations for the Conduct of the said Trade which shall be inconsistent with any Treaty or Treaties which shall have been or may be entered into by His Majesty, His Heirs and Successors, and any Country or State at Amity with His Majesty, or which may be inconsistent with any Act or Acts of Parliament which have been passed for the Regulation of the Trade and Commerce of the said *British* Territories in *India*.

Sect. 2. And be it further enacted, That all such Regulations as shall be framed by the said Court of Directors for carrying on the Trade to and from the *British* Possessions in *India*, and the Countries and States in Amity with His Majesty, shall be and they are hereby directed to be subject to the Superintendence, Direction, and Control of the Board of Commissioners for the Affairs of *India*, in the same Manner as all Acts, Operations, and Concerns which anywise relate to or concern the Civil and Military Governments and Revenues of the *British* Territories and Acquisitions in the *East Indies* now are.

Regulations framed by the Directors to be subject to the Control of the Board of Commissioners.

Sect. 3. And be it further enacted, That it shall not be lawful for any General Court of Proprietors to alter or change, or to direct or order or authorize the altering or changing, any Resolution of the Court of Directors, or to rescind, revoke, suspend, or vary the same, in so far as the same relates to the Intercourse of Foreign Nations in Amity with His Majesty and the *British* Territories in *India*.

Court of Proprietors not to alter any Resolution of Directors relating to Intercourse of Foreign Nations, &c.

3° & 4° VICT. Cap. 56.

CHINA AND
INDIA.

An Act further to regulate the Trade of Ships built and trading within the Limits of the *East India Company's* Charter.
[7th August 1840.]

WHEREAS by an Act passed in the Fifty-fifth Year of the
55 G. 3. c. 116. Reign of His late Majesty King *George* the Third, intituled *An Act to make further Regulations for the Registry of Ships built in India*, it was enacted, that nothing in that or in the therein-recited Acts or in any other Act contained should subject any Ship or Vessel built or to be built within the Limits of the Charter of the *East India Company*, which should not be of the Burden of Three hundred and fifty Tons, or any Ship or Vessel built within the Limits of the Charter of the said Company, then the Property of any of His said Majesty's Subjects within the Limits aforesaid, and employed in Trade as theretofore solely within the said Limits, including the *Cape of Good Hope*, or any Ship or Vessel which then was, or at any Time before the First Day of *January* in the Year One thousand eight hundred and sixteen should be, building within the Limits aforesaid, on account of any of His said Majesty's Subjects within the said Limits, and should be employed in Trade solely within the said Limits, including the *Cape of Good Hope*, to any Penalty, Forfeiture, Disability, or Impediment by reason of such Ship or Vessel not being registered, and not being *British*-built, or to affect the Property or any Transfer of Property in any such Ship or Vessel as aforesaid which should not be registered: And whereas by an Act passed in the Fourth Year of His late Majesty King *George* the Fourth, intituled *An Act for the registering of Vessels*, and by another Act passed in the same Session, intituled *An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the Registry of Vessels, so far as it relates to Vessels registered in India*, the said recited Act of the Fifty-fifth Year of King *George* the Third was repealed: And whereas by an Act passed in the Session held in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act to regulate the Trade of the British Possessions abroad*, it was among other things enacted, that all Ships built at any Place within the Limits of the *East India Company's* Charter prior to the First of *January* One thousand eight hundred and sixteen, and which then were and had continued ever since to be solely the Property of His Majesty's Subjects, should be deemed to be *British* Ships for all the Purposes of Trade within the said Limits, including the *Cape of Good Hope*: And whereas, under and by virtue of an
4 G. 4. c. 41.
4 G. 4. c. 80.
3 & 4 W. 4. c. 59.

Act passed in the same Session, intituled *An Act for the registering of British Vessels*, Ships or Vessels built in any Ports in the Territories under the Government of the said Company, being owned by *British* Subjects, and being registered in manner therein provided for, are entitled to all the Privileges and Advantages of a *British* registered Ship; but it is expedient further to regulate the Trade of Ships built and trading within the Limits of the *East India* Company's Charter, including the *Cape of Good Hope* and the Territories and Dependencies thereof, and in the meantime to restore to the Ships or Vessels so described as aforesaid in the said recited Act of the Fifty-fifth Year of King *George* the Third the Enjoyment of the Privileges to which they were thereby entitled; and it is fit that Indemnity should be afforded in respect of the Consequences of the Repeal of such Privileges by the said Acts of the Fourth Year of King *George* the Fourth, or either of them: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in the meantime, and until such Declaration by Proclamation shall be made by the Governor General in Council as herein-after is authorized, as well all Ships mentioned in the said Enactment contained in the said first-recited Act of King *William* the Fourth, as also all other Ships or Vessels so as aforesaid described in the said Act of the Fifty-fifth Year of the Reign of King *George* the Third, shall have and enjoy the same Privileges as were thereby given to such Ships or Vessels.

Sect. 2. And be it enacted, That for all Purposes of Indemnity and Discharge from all Actions, Suits, Prosecutions, Penalties, Forfeitures, Disabilities, or Impediments, and for all Purposes of confirming and giving Validity to all Sales, Assignments, Mortgages, Contracts, Engagements, Bonds, Policies of Assurance, Gifts, Bequests, Rights, Titles, Interests, Matters, and Things whatsoever, which but for the said recited Repeal of the said Privileges would have been valid and effectual in Law, and for all other beneficial Purposes whatever, this Act shall have the same Force and Effect as if the said Act of the Fifty-fifth Year of the Reign of King *George* the Third had never been repealed.

Sect. 3. And be it enacted, That it shall be lawful for the Governor General of *India* in Council, by Proclamation, to declare that all Ships or Vessels built or to be built within the Limits of the Charter of the *East India* Company, being owned by Her Majesty's Subjects for whom the said Governor General in Council has Power to legislate, and belonging, under the Regulations herein-after provided for, to any Ports in the Territories under the Government of the said Company, shall

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3 & 4 W. 4. c. 55.

Until Proclamation, all Vessels to be entitled to Privileges given by 55 G. 3. c. 116.

This Act to have the same Force as 55 G. 3. c. 116.

Governor General enabled to declare what Ships shall be considered as British.

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be deemed to be *British Ships* for all the Purposes of Trade within the said Limits, including the *Cape of Good Hope* and the Territories and Dependencies thereof; provided that upon such Declaration being made the said Governor General in Council shall, and the said Governor General in Council is hereby accordingly empowered to make Regulations to be enforced by suitable Penalties concerning the registering, licensing, and ascertaining the Admeasurement of the Tonnage and Burden, and generally for the Trading within the Limits aforesaid of such Ships or Vessels, any thing in any Act to the contrary notwithstanding; which Regulations shall be of equal Force and Effect with any Laws and Regulations which the said Governor General in Council is authorized to make, but shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, and be laid before both Houses of Parliament, as in the Case of any other Laws or Regulations which the said Governor General in Council is now by Law empowered to make.

Ships belonging
to Native
Powers may be
admitted to
Privileges of
British Ships.

Sect. 4. And whereas it may be expedient to admit to similar Privileges and Advantages any Ships or Vessels belonging to Native Princes or States in subordinate Alliance with or having subsidiary Treaties with the *East India Company*, or owned by Subjects of any such Princes or States; be it therefore enacted, That the Governor General of *India* in Council may by such Regulations as aforesaid, such Regulations being subject as aforesaid, admit to the Privileges and Advantages of *British Ships*, for the Purposes of Trade within the Limits of the Charter of the said Company, including the *Cape of Good Hope* and the Territories and Dependencies thereof, or to any of such Privileges and Advantages, any Ships or Vessels belonging to such Princes or States or any of them, or owned by Subjects of any such Princes or States; but any such Regulations shall provide for the granting to such Ships or Vessels fit and convenient Licences or Passes, and generally for the Trading within the Limits aforesaid of such Ships or Vessels.

Giving legal
Validity to Acts
of Governors of
Presidencies
for regulating
Trade.

Sect. 5. And whereas Vessels exceeding the Burden of Three hundred and fifty Tons, built in Ports within the Limits of the *East India Company's* Charter since the First Day of *January* One thousand eight hundred and sixteen, and owned by *British* Subjects, and Vessels built in Ports within the Limits aforesaid, owned by Native Princes or States in subordinate Alliance with or having subsidiary Treaties with the *East India Company*, or by the Subjects of such Princes or States, may have heretofore engaged and may be now engaged in Trade within such Limits, under some Licence, Authority, or Sanction of the respective Governments of the several Presidencies in *India*; and it is expedient that full legal Validity and Effect should be given to all Acts of the said Government respectively in refe-

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rence to any Trading; be it therefore enacted, That all Acts and Documents whatever done, given, or issued by any of the said Governments in reference to the Trading of the Two Classes of Vessels last herein-before mentioned shall be deemed and construed to have had for all Purposes full legal Validity and Effect from the respective Times when such Acts and Documents may have been done, given, or issued respectively, and shall for all Purposes continue to have such Validity and Effect until the Governor General of *India* in Council shall make other Provisions in respect of the trading of such Classes of Vessels respectively under the Authority of this Act.

Sect. 6. And whereas Doubts have been entertained whether the Provisions and Remedies enacted and contained in an Act passed in the Session held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intitled *An Act for the registering of British Vessels*, in Cases of the wilful Detention and Refusal to deliver up the Certificate of the Registry of any Ship or Vessel to the proper Officer or other Persons authorized and entitled in that Behalf, as in the said last-mentioned Act is specified, extend to and are in force in the Territories under the Government of the *East India* Company; and it is expedient that such Doubts should be removed; be it therefore declared and enacted, That the said several Provisions and Remedies in the said last-mentioned Act contained touching the wilful Detention of such Certificate of Registry, or the absconding of any Person in possession of the same, shall be deemed and taken to extend to and shall extend to and be in force in the said Territories under the Government of the *East India* Company.

Provisions of Act for registering British Vessels to have full Force in East Indian Territories.

Sect. 7. And be it enacted, That wherever in and by the said Act it is directed or provided that any Act, Matter, or Thing shall and may be done or performed by, to, or with the Governor, Lieutenant Governor, or Commander in Chief of any Place where any Ship or Vessel may be registered under the Authority of the same Act, the same shall or may be done or performed in the Territories under the Government of the *East India* Company by, to, or with the Governor General of *India* in Council, or the Governor of the Presidency of *Fort William* in *Bengal*, or the respective Governors in Council or Governors of the Presidencies of *Fort Saint George* and *Bombay*, or the Governor of *Prince of Wales Island*, *Singapore*, and *Malacca*, or the respective resident Councillors at *Singapore* and *Malacca*, according to Circumstances, and as the Case may be.

Matters directed to be performed before Governors of any particular Place may be performed in Presence of Governor General of India, &c.

Sect. 8. And be it enacted, That in all Cases in which by the said last-mentioned Act it is made lawful for any Governor, Lieutenant Governor, or Commander in Chief of any of Her Majesty's Colonies, Plantations, Islands, or Territories, and they are thereby authorized and required, if any Suit, Information, Libel, or other Prosecution or Proceeding, of any Nature or

For staying Proceedings in certain Cases.

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Kind whatever, shall have been commenced or shall hereafter be commenced in any Court whatever in any of the said Colonies, Plantations, Islands, or Territories respectively, touching the Force and Effect of any Register granted to any Ship or Vessel, upon a Representation made to any such Governor, Lieutenant Governor, or Commander in Chief, to cause all Proceedings thereon to be stayed, as in the said last-mentioned Act is provided, it shall be lawful, in the Territories under the Government of the *East India* Company, for the Governor General of *India* in Council, or the Governor of the said Presidency of *Fort William* in *Bengal*, or for the respective Governors in Council or Governors of the said Presidencies of *Fort Saint George* and *Bombay*, or the Governor of *Prince of Wales Island*, *Singapore*, and *Malacca*, according to Circumstances, and as the Case may be, and they are respectively authorized and required, if any such Suit, Information, Libel, or other Prosecution or Proceeding whatever shall have been commenced or shall hereafter be commenced in any of Her Majesty's Courts whatever, in or in any Place subordinate to the said several Presidencies, or the Government of *Prince of Wales Island*, *Singapore*, and *Malacca* respectively, touching the Force and Effect of any Register granted to any Ship or Vessel, upon a Representation made to any such Governor General of *India* in Council, or Governor of the said Presidency of *Fort William* in *Bengal*, or Governors in Council or Governors of the said Presidencies of *Fort Saint George* and *Bombay* respectively, or such Governor of *Prince of Wales Island*, *Singapore*, and *Malacca*, according to Circumstances, and as the Case may be, to cause all Proceedings thereon to be stayed, if he shall see just Cause so to do, until Her Majesty's Pleasure shall be known and certified to him by Her Majesty, by or with the Advice of Her Majesty's Privy Council; and such Governor General of *India* in Council, or Governor of the said Presidency of *Fort William* in *Bengal*, or Governor in Council or Governor of the said Presidencies of *Fort Saint George* and *Bombay* respectively, or such Governor of *Prince of Wales Island*, *Singapore*, and *Malacca* respectively, is hereby required to transmit to the Court of Directors of the *East India* Company, to be by them forthwith forwarded to the President of the Board of Commissioners for the Affairs of *India*, to be laid before Her Majesty in Council, an authenticated Copy of the Proceedings in every such Case, together with his Reasons for causing the same to be stayed, and such Documents properly verified as he may judge necessary for the Information of Her Majesty.

Construction
of Term.

Sect. 9. And be it enacted, That the Term "Limits of the *East India* Company's Charter" shall for all Purposes of this Act be construed to mean all Places and Seas Eastward of the *Cape of Good Hope* to the *Straits of Magellan*.

2° & 3° GUL. 4. Cap. 90.

An Act to authorize the Commissioners of His Majesty's Treasury to grant Compensation to the Inspectors and Coal Meters of the City of *Dublin*, and to impose a Rate upon Coals imported into the Port of *Dublin*, to provide a Fund for such Compensation.

[7th *August* 1832.]

[The Objects of this Act being local and temporary it is thought to be sufficient only to notify the passing of it.]

COALS,
IRELAND.

5^o & 6^o VICT. Cap. 45.

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An Act to amend the Law of Copyright.

[1st July 1842.]

Repeal of
former Acts;
8 Anne, c. 19.

41 G. 3. c. 107.

54 G. 3. c. 156.

WHEREAS it is expedient to amend the Law relating to Copyright, and to afford greater Encouragement to the Production of literary Works of lasting Benefit to the World: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from the passing of this Act an Act passed in the Eighth Year of the Reign of Her Majesty Queen Anne, intituled *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned*; and also an Act passed in the Forty-first Year of the Reign of His Majesty King George the Third, intituled *An Act for the further Encouragement of Learning in the United Kingdom of Great Britain and Ireland, by securing the Copies and Copyright of printed Books to the Authors of such Books, or their Assigns, for the Time therein mentioned*; and also an Act passed in the Fifty-fourth Year of the Reign of His Majesty King George the Third, intituled *An Act to amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of printed Books to the Authors of such Books, or their Assigns*, be and the same are hereby repealed, except so far as the Continuance of either of them may be necessary for carrying on or giving effect to any Proceedings at Law or in Equity pending at the Time of passing this Act, or for enforcing any Cause of Action or Suit, or any Right or Contract, then subsisting.

Interpretation
of Act.

Sect. 2. And be it enacted, That in the Construction of this Act the Word "Book" shall be construed to mean and include every Volume, Part or Division of a Volume, Pamphlet, Sheet of Letter-press, Sheet of Music, Map, Chart, or Plan separately published; that the Words "Dramatic Piece" shall be construed to mean and include every Tragedy, Comedy, Play, Opera, Farce, or other scenic, musical, or dramatic Entertainment; that the Word "Copyright" shall be construed to mean the sole and exclusive Liberty of printing or otherwise multiplying Copies of any Subject to which the said Word is herein applied; that the Words "personal Representative" shall be construed to mean and include every Executor, Administrator, and next of Kin entitled to Administration; that the Word "Assigns" shall be construed to mean and include every Person in whom the Interest of an Author in Copyright

shall be vested, whether derived from such Author before or after the Publication of any Book, and whether acquired by Sale, Gift, Bequest, or by Operation of Law, or otherwise; that the Words "*British Dominions*" shall be construed to mean and include all Parts of the United Kingdom of *Great Britain* and *Ireland*, the Islands of *Jersey* and *Guernsey*, all Parts of the *East* and *West Indies*, and all the Colonies, Settlements, and Possessions of the Crown which now are or hereafter may be acquired; and that whenever in this Act, in describing any Person, Matter, or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and to be applied to several Persons as well as one Person, and Females as well as Males, and several Matters or Things as well as one Matter or Thing, respectively, unless there shall be something in the Subject or Context repugnant to such Construction.

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Sect. 3. And be it enacted, That the Copyright in every Book which shall after the passing of this Act be published in the Lifetime of its Author shall endure for the natural Life of such Author, and for the further Term of Seven Years, commencing at the Time of his Death, and shall be the Property of such Author and his Assigns: Provided always, that if the said Term of Seven Years shall expire before the End of Forty-two Years from the first Publication of such Book, the Copyright shall in that Case endure for such Period of Forty-two Years; and that the Copyright in every Book which shall be published after the Death of its Author shall endure for the Term of Forty-two Years from the first Publication thereof, and shall be the Property of the Proprietor of the Author's Manuscript from which such Book shall be first published, and his Assigns.

Endurance of Term of Copyright in any Book hereafter to be published in the Lifetime of the Author;

if published after the Author's Death.

Sect. 4. And whereas it is just to extend the Benefits of this Act to Authors of Books published before the passing thereof, and in which Copyright still subsists; be it enacted, That the Copyright which at the Time of passing this Act shall subsist in any Book theretofore published (except as herein-after mentioned) shall be extended and endure for the full Term provided by this Act in Cases of Books thereafter published, and shall be the Property of the Person who at the Time of passing of this Act shall be the Proprietor of such Copyright: Provided always, that in all Cases in which such Copyright shall belong in whole or in part to a Publisher or other Person who shall have acquired it for other Consideration than that of natural Love and Affection, such Copyright shall not be extended by this Act, but shall endure for the Term which shall subsist therein at the Time of passing of this Act, and no longer, unless the Author of such Book, if he shall be living, or the personal Representative of such Author, if he shall be dead,

In Cases of subsisting Copyright, the Term to be extended, except when it shall belong to an Assignee for other Consideration than natural Love and Affection; in which Case it shall cease at the Expiration of the present Term, unless its Extension be agreed to between the

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Proprietor and
the Author.

and the Proprietor of such Copyright, shall, before the Expiration of such Term, consent and agree to accept the Benefits of this Act in respect of such Book, and shall cause a Minute of such Consent in the Form in that Behalf given in the Schedule to this Act annexed to be entered in the Book of Registry herein-after directed to be kept (1), in which Case such Copyright shall endure for the full Term by this Act provided in Cases of Books to be published after the passing of this Act, and shall be the Property of such Person or Persons as in such Minute shall be expressed.

Judicial Committee of the Privy Council may license the Republication of Books which the Proprietor refuses to republish after Death of the Author.

Sect. 5. And whereas it is expedient to provide against the Suppression of Books of Importance to the Public; be it enacted, That it shall be lawful for the Judicial Committee of Her Majesty's Privy Council, on Complaint made to them that the Proprietor of the Copyright in any Book after the Death of its Author has refused to republish or to allow the Republication of the same, and that by reason of such Refusal such Book may be withheld from the Public, to grant a Licence to such Complainant to publish such Book, in such Manner and subject to such Conditions as they may think fit, and that it shall be lawful for such Complainant to publish such Book according to such Licence.

Copies of Books published after the passing of this Act, and of all subsequent Editions, to be delivered within certain Times at the British Museum.

Sect. 6. And be it enacted, That a printed Copy of the whole of every Book which shall be published after the passing of this Act, together with all Maps, Prints, or other Engravings belonging thereto, finished and coloured in the same Manner as the best Copies of the same shall be published, and also of any second or subsequent Edition which shall be so published with any Additions or Alterations, whether the same shall be in Letter Press, or in the Maps, Prints, or other Engravings belonging thereto, and whether the first Edition of such Book shall have been published before or after the passing of this Act, and also of any second or subsequent Edition of every Book of which the first or some preceding Edition shall not have been delivered for the Use of the *British Museum*, bound, sewed, or stitched together, and upon the best Paper on which the same shall be printed, shall, within One Calendar Month after the Day on which any such Book shall first be sold, published, or offered for Sale within the Bills of Mortality, or within Three Calendar Months if the same shall first be sold, published, or offered for Sale in any other Part of the United Kingdom, or within Twelve Calendar Months after the same shall first be sold, published, or offered for Sale in any other Part of the *British Dominions*, be delivered, on behalf of the Publisher thereof, at the *British Museum*.

(1) See § 11.

Sect. 7. And be it enacted, That every Copy of any Book which under the Provisions of this Act ought to be delivered as aforesaid shall be delivered at the *British Museum* between the Hours of Ten in the Forenoon and Four in the Afternoon on any Day except *Sunday, Ash Wednesday, Good Friday, and Christmas Day*, to one of the Officers of the said Museum, or to some Person authorized by the Trustees of the said Museum to receive the same, and such Officer or other Person receiving such Copy is hereby required to give a Receipt in Writing for the same, and such Delivery shall to all Intents and Purposes be deemed to be good and sufficient Delivery under the Provisions of this Act.

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Mode of delivering at the British Museum.

Sect. 8. And be it enacted, That a Copy of the whole of every Book, and of any second or subsequent Edition of every Book containing Additions and Alterations, together with all Maps and Prints belonging thereto, which after the passing of this Act shall be published, shall, on demand thereof in Writing, left at the Place of Abode of the Publisher thereof at any Time within Twelve Months next after the Publication thereof, under the Hand of the Officer of the Company of Stationers who shall from Time to Time be appointed by the said Company for the Purposes of this Act, or under the Hand of any other Person thereto authorized by the Persons or Bodies Politic and Corporate, Proprietors and Managers of the Libraries following, (*videlicet*,) the *Bodleian Library* at *Oxford*, the *Public Library* at *Cambridge*, the *Library* of the *Faculty of Advocates* at *Edinburgh*, the *Library* of the *College of the Holy and Undivided Trinity of Queen Elizabeth* near *Dublin*, be delivered, upon the Paper of which the largest Number of Copies of such Book or Edition shall be printed for Sale in the like Condition as the Copies prepared for Sale by the Publisher thereof respectively, within One Month after Demand made thereof in Writing as aforesaid, to the said Officer of the said Company of Stationers for the Time being, which Copies the said Officer shall and he is hereby required to receive at the Hall of the said Company, for the Use of the Library for which such Demand shall be made within such Twelve Months as aforesaid; and the said Officer is hereby required to give a Receipt in Writing for the same, and within One Month after any such Book shall be so delivered to him as aforesaid to deliver the same for the Use of such Library.

A Copy of every Book to be delivered within a Month after Demand to the Officer of the Stationers Company, for the following Libraries: the Bodleian at Oxford, the Public Library at Cambridge, the Faculty of Advocates at Edinburgh, and that of Trinity College, Dublin.

Sect. 9. Provided also, and be it enacted, That if any Publisher shall be desirous of delivering the Copy of such Book as shall be demanded on behalf of any of the said Libraries at such Library, it shall be lawful for him to deliver the same at such Library, free of Expence, to such Librarian or other Person authorized to receive the same (who is hereby required in such Case to receive and give a Receipt in Writing for the

Publishers may deliver the Copies to the Libraries, instead of at the Stationers Company.

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same), and such Delivery shall to all Intents and Purposes of this Act be held as equivalent to a Delivery to the said Officer of the Stationers Company.

Penalty for
Default in
delivering
Copies for the
Use of the
Libraries.

Sect. 10. And be it enacted, That if any Publisher of any such Book, or of any second or subsequent Edition of any such Book, shall neglect to deliver the same, pursuant to this Act, he shall for every such Default forfeit, besides the Value of such Copy of such Book or Edition which he ought to have delivered, a Sum not exceeding Five Pounds to be recovered by the Librarian or other Officer (properly authorized) of the Library for the Use whereof such Copy should have been delivered, in a summary Way, on Conviction before Two Justices of the Peace for the County or Place where the Publisher making default shall reside, or by Action of Debt or other Proceeding of the like Nature, at the Suit of such Librarian or other Officer, in any Court of Record in the United Kingdom, in which Action, if the Plaintiff shall obtain a Verdict, he shall recover his Costs reasonably incurred, to be taxed as between Attorney and Client.

Book of Re-
gistry, to be kept
at Stationers
Hall.

Sect. 11. And be it enacted, That a Book of Registry, wherein may be registered, as herein-after enacted (1), the Proprietorship in the Copyright of Books, and Assignments thereof, and in Dramatic and Musical Pieces, whether in Manuscript or otherwise, and Licences affecting such Copyright, shall be kept at the Hall of the Stationers Company, by the Officer appointed by the said Company for the Purposes of this Act, and shall at all convenient Times be open to the Inspection of any Person, on Payment of One Shilling for every Entry which shall be searched for or inspected in the said Book; and that such Officer shall, whenever thereunto reasonably required, give a Copy of any Entry in such Book, certified under his Hand, and impressed with the Stamp of the said Company, to be provided by them for that Purpose, and which they are hereby required to provide, to any Person requiring the same, on Payment to him of the Sum of Five Shillings; and such Copies so certified and impressed shall be received in Evidence in all Courts, and in all summary Proceedings, and shall be *primâ facie* Proof of the Proprietorship or Assignment of Copyright or Licence as therein expressed, but subject to be rebutted by other Evidence, and in the Case of Dramatic or Musical Pieces shall be *primâ facie* Proof of the Right of Representation or Performance, subject to be rebutted as aforesaid.

Making a false
Entry in the
Book of Re-

Sect. 12. And be it enacted, That if any Person shall wilfully make or cause to be made any false Entry in the Registry Book of the Stationers Company, or shall wilfully produce or cause

to be tendered in Evidence any Paper falsely purporting to be a Copy of any Entry in the said Book, he shall be guilty of an indictable Misdemeanor, and shall be punished accordingly.

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gistry, a Misdemeanor.

Sect. 13. And be it enacted, That after the passing of this Act it shall be lawful for the Proprietor of Copyright in any Book heretofore published, or in any Book hereafter to be published, to make Entry in the Registry Book of the Stationers Company of the Title of such Book, the Time of the first Publication thereof, the Name and Place of Abode of the Publisher thereof, and the Name and Place of Abode of the Proprietor of the Copyright of the said Book, or of any Portion of such Copyright, in the Form in that Behalf given in the Schedule to this Act annexed, upon Payment of the Sum of Five Shillings to the Officer of the said Company; and that it shall be lawful for every such registered Proprietor to assign his Interest, or any Portion of his Interest therein, by making Entry in the said Book of Registry of such Assignment, and of the Name and Place of Abode of the Assignee thereof, in the Form given in that Behalf in the said Schedule, on Payment of the like Sum; and such Assignment so entered shall be effectual in Law to all Intents and Purposes whatsoever, without being subject to any Stamp or Duty, and shall be of the same Force and Effect as if such Assignment had been made by Deed.

Entries of Copyright may be made in the Book of Registry.

Sect. 14. And be it enacted, That if any Person shall deem himself aggrieved by any Entry made under colour of this Act in the said Book of Registry, it shall be lawful for such Person to apply by Motion to the Court of Queen's Bench, Court of Common Pleas, or Court of Exchequer, in Term Time, or to apply by Summons to any Judge of either of such Courts in Vacation, for an Order that such Entry may be expunged or varied; and that upon any such Application by Motion or Summons to either of the said Courts, or to a Judge as aforesaid, such Court or Judge shall make such Order for expunging, varying, or confirming such Entry, either with or without Costs, as to such Court or Judge shall seem just; and the Officer appointed by the Stationers Company for the Purposes of this Act shall, on the Production to him of any such Order for expunging or varying any such Entry, expunge or vary the same according to the Requisitions of such Order.

Persons aggrieved by any Entry in the Book of Registry may apply to a Court of Law in Term, or Judge in Vacation, who may order such Entry to be varied or expunged.

Sect. 15. And be it enacted, That if any Person shall, in any Part of the *British* Dominions, after the passing of this Act, print or cause to be printed, either for Sale or Exportation, any Book in which there shall be subsisting Copyright, without the Consent in Writing of the Proprietor thereof, or shall import for Sale or Hire any such Book so having been unlawfully printed from Parts beyond the Sea, or, knowing such Book to have been so unlawfully printed or imported, shall sell, publish,

Remedy for the Piracy of Books by Action on the Case.

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publish, or expose to Sale or Hire, or cause to be sold, published, or exposed to Sale or Hire, or shall have in his Possession, for Sale or Hire, any such Book so unlawfully printed or imported, without such Consent as aforesaid, such Offender shall be liable to a special Action on the Case at the Suit of the Proprietor of such Copyright, to be brought in any Court of Record in that Part of the *British* Dominions in which the Offence shall be committed: Provided always, that in *Scotland* such Offender shall be liable to an Action in the Court of Session in *Scotland*, which shall and may be brought and prosecuted in the same Manner in which any other Action of Damages to the like Amount may be brought and prosecuted there.

In Actions for Piracy the Defendant to give Notice of the Objections to the Plaintiff's Title on which he means to rely.

Sect. 16. And be it enacted, That after the passing of this Act, in any Action brought within the *British* Dominions against any Person for printing any such Book for Sale, Hire, or Exportation, or for importing, selling, publishing, or exposing to Sale or Hire, or causing to be imported, sold, published, or exposed to Sale or Hire, any such Book, the Defendant, on pleading thereto, shall give to the Plaintiff a Notice in Writing of any Objections on which he means to rely on the Trial of such Action; and if the Nature of his Defence be, that the Plaintiff in such Action was not the Author or first Publisher of the Book in which he shall by such Action claim Copyright, or is not the Proprietor of the Copyright therein, or that some other Person than the Plaintiff was the Author or first Publisher of such Book, or is the Proprietor of the Copyright therein, then the Defendant shall specify in such Notice the Name of the Person who he alleges to have been the Author or first Publisher of such Book, or the Proprietor of the Copyright therein, together with the Title of such Book, and the Time when and the Place where such Book was first published, otherwise the Defendant in such Action shall not at the Trial or Hearing of such Action be allowed to give any Evidence that the Plaintiff in such Action was not the Author or first Publisher of the Book in which he claims such Copyright as aforesaid, or that he was not the Proprietor of the Copyright therein; and at such Trial or Hearing no other Objection shall be allowed to be made on behalf of such Defendant than the Objections stated in such Notice, or that any other Person was the Author or first Publisher of such Book, or the Proprietor of the Copyright therein, than the Person specified in such Notice, or give in Evidence in support of his Defence any other Book than one substantially corresponding in Title, Time, and Place of Publication with the Title, Time, and Place specified in such Notice.

No Person, except the Pro-

Sect. 17. And be it enacted, That after the passing of this Act it shall not be lawful for any Person, not being the Pro-

prietor of the Copyright, or some Person authorized by him, to import into any Part of the United Kingdom, or into any other Part of the *British* Dominions, for Sale or Hire, any printed Book first composed or written or printed and published in any Part of the said United Kingdom, wherein there shall be Copyright, and re-printed in any Country or Place whatsoever out of the *British* Dominions; and if any Person, not being such Proprietor or Person authorized as aforesaid, shall import or bring, or cause to be imported or brought, for Sale or Hire, any such printed Book, into any Part of the *British* Dominions, contrary to the true Intent and Meaning of this Act, or shall knowingly sell, publish, or expose to Sale or let to Hire, or have in his Possession for Sale or Hire, any such Book, then every such Book shall be forfeited, and shall be seized by any Officer of Customs or Excise, and the same shall be destroyed by such Officer; and every Person so offending, being duly convicted thereof before Two Justices of the Peace for the County or Place in which such Book shall be found, shall also for every such Offence forfeit the Sum of Ten Pounds, and Double the Value of every Copy of such Book which he shall so import or cause to be imported into any Part of the *British* Dominions, or shall knowingly sell, publish, or expose to Sale or let to Hire, or shall cause to be sold, published, or exposed to Sale or let to Hire, or shall have in his Possession for Sale or Hire, contrary to the true Intent and Meaning of this Act, Five Pounds to the Use of such Officer of Customs or Excise, and the Remainder of the Penalty to the Use of the Proprietor of the Copyright in such Book.

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 prietor, &c., shall import into the *British* Dominions for Sale or Hire any Book first composed, &c. within the United Kingdom, and re-printed elsewhere, under Penalty of Forfeiture thereof, and also of 10*l*. and Double the Value.

Books may be seized by Officers of Customs or Excise.

Sect. 18. And be it enacted, That when any Publisher or other Person shall, before or at the Time of the passing of this Act, have projected, conducted, and carried on, or shall hereafter project, conduct, and carry on, or be the Proprietor of any Encyclopædia, Review, Magazine, Periodical Work, or Work published in a Series of Books or Parts, or any Book whatsoever, and shall have employed or shall employ any Persons to compose the same, or any Volumes, Parts, Essays, Articles, or Portions thereof, for Publication in or as Part of the same, and such Work, Volumes, Parts, Essays, Articles, or Portions shall have been or shall hereafter be composed under such Employment, on the Terms that the Copyright therein shall belong to such Proprietor, Projector, Publisher, or Conductor, and paid for by such Proprietor, Projector, Publisher, or Conductor, the Copyright in every such Encyclopædia, Review, Magazine, Periodical Work, and Work published in a Series of Books or Parts, and in every Volume, Part, Essay, Article, and Portion so composed and paid for, shall be the Property of such Proprietor, Projector, Publisher, or other Conductor, who shall enjoy the same Rights as if he were the actual Author thereof, and shall have such Term of Copyright therein

As to the Copyright in Encyclopædias, Periodicals, and Works published in a Series, Reviews, or Magazines.

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as is given to the Authors of Books by this Act; except only that in the Case of Essays, Articles, or Portions forming Part of and first published in Reviews, Magazines, or other Periodical Works of a like Nature, after the Term of Twenty-eight Years from the first Publication thereof respectively the Right of publishing the same in a separate Form shall revert to the Author for the Remainder of the Term given by this Act: Provided always, that during the Term of Twenty-eight Years the said Proprietor, Projector, Publisher, or Conductor shall not publish any such Essay, Article, or Portion separately or singly without the Consent previously obtained of the Author thereof, or his Assigns: Provided also, that nothing herein contained shall alter or affect the Right of any Person who shall have been or who shall be so employed as aforesaid to publish any such his Composition in a separate Form, who by any Contract, express or implied, may have reserved or may hereafter reserve to himself such Right; but every Author reserving, retaining, or having such Right shall be entitled to the Copyright in such Composition when published in a separate Form, according to this Act, without Prejudice to the Right of such Proprietor, Projector, Publisher, or Conductor as aforesaid.

Proviso for Authors who have reserved the Right of publishing their Articles in a separate Form.

Proprietors of Encyclopædias, Periodicals, and Works published in a Series, may enter at once at Stationers Hall, and thereon have the Benefit of the Registration of the whole.

Sect. 19. And be it enacted, That the Proprietor of the Copyright in any Encyclopædia, Review, Magazine, Periodical Work, or other Work published in a Series of Books or Parts, shall be entitled to all the Benefits of the Registration at Stationers Hall under this Act, on entering in the said Book of Registry the Title of such Encyclopædia, Review, Periodical Work, or other Work published in a Series of Books or Parts, the Time of the first Publication of the First Volume, Number, or Part thereof, or of the First Number or Volume first published after the passing of this Act in any such Work which shall have been published heretofore, and the Name and Place of Abode of the Proprietor thereof, and of the Publisher thereof, when such Publisher shall not also be the Proprietor thereof.

The Provisions of 3 & 4 W. 4. c. 15. extended to Musical Compositions, and the Term of Copyright, as provided by this Act, applied to the Liberty of representing Dramatic Pieces and Musical Compositions.

Sect. 20. And whereas an Act was passed in the Third Year of the Reign of His late Majesty, to amend the Law relating to Dramatic Literary Property, and it is expedient to extend the Term of the sole Liberty of representing Dramatic Pieces given by that Act to the full Time by this Act provided for the Continuance of Copyright: And whereas it is expedient to extend to Musical Compositions the Benefits of that Act, and also of this Act; be it therefore enacted, That the Provisions of the said Act of His late Majesty, and of this Act, shall apply to Musical Compositions, and that the sole Liberty of representing or performing, or causing or permitting to be represented or performed, any Dramatic Piece or Musical Composition, shall endure and be the Property of the Author thereof, and his

Assigns, for the Term in this Act provided for the Duration of Copyright in Books; and the Provisions herein-before enacted in respect of the Property of such Copyright, and of registering the same, shall apply to the Liberty of representing or performing any Dramatic Piece or Musical Composition, as if the same were herein expressly re-enacted and applied thereto, save and except that the first public Representation or Performance of any Dramatic Piece or Musical Composition shall be deemed equivalent, in the Construction of this Act, to the first Publication of any Book: Provided always, that in case of any Dramatic Piece or Musical Composition in Manuscript, it shall be sufficient for the Person having the sole Liberty of representing or performing, or causing to be represented or performed the same, to register only the Title thereof, the Name and Place of Abode of the Author or Composer thereof, the Name and Place of Abode of the Proprietor thereof, and the Time and Place of its first Representation or Performance.

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Sect. 21. And be it enacted, That the Person who shall at any Time have the sole Liberty of representing such Dramatic Piece or Musical Composition shall have and enjoy the Remedies given and provided in the said Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, passed to amend the Laws relating to Dramatic Literary Property, during the whole of his Interest therein, as fully as if the same were re-enacted in this Act.

Proprietors of Right of Dramatic Representations shall have all the Remedies given by 3 & 4 W. 4. c. 15.

Sect. 22. And be it enacted, That no Assignment of the Copyright of any Book consisting of or containing a Dramatic Piece or Musical Composition shall be holden to convey to the Assignee the Right of representing or performing such Dramatic Piece or Musical Composition, unless an Entry in the said Registry Book shall be made of such Assignment, wherein shall be expressed the Intention of the Parties that such Right should pass by such Assignment.

Assignment of Copyright of a Dramatic Piece not to convey the Right of Representation.

Sect. 23. And be it enacted, That all Copies of any Book wherein there shall be Copyright, and of which Entry shall have been made in the said Registry Book, and which shall have been unlawfully printed or imported without the Consent of the registered Proprietor of such Copyright, in Writing under his Hand first obtained, shall be deemed to be the Property of the Proprietor of such Copyright, and who shall be registered as such, and such registered Proprietor shall, after Demand thereof in Writing, be entitled to sue for and recover the same, or Damages for the Detention thereof, in an Action of Detinue, from any Party who shall detain the same, or to sue for and recover Damages for the Conversion thereof in an Action of Trover.

Books pirated shall become the Property of the Proprietor of the Copyright, and may be recovered by Action.

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No Proprietor of Copyright commencing after this Act shall sue or proceed for any Infringement before making Entry in the Book of Registry.

Proviso for Dramatic Pieces.

Sect. 24. And be it enacted, That no Proprietor of Copyright in any Book which shall be first published after the passing of this Act shall maintain any Action or Suit, at Law or in Equity, or any summary Proceeding, in respect of any Infringement of such Copyright, unless he shall, before commencing such Action, Suit, or Proceeding, have caused an Entry to be made, in the Book of Registry of the Stationers Company, of such Book, pursuant to this Act: Provided always, that the Omission to make such Entry shall not affect the Copyright in any Book, but only the Right to sue or proceed in respect of the Infringement thereof as aforesaid: Provided also, that nothing herein contained shall prejudice the Remedies which the Proprietor of the sole Liberty of representing any Dramatic Piece shall have by virtue of the Act passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, to amend the Laws relating to Dramatic Literary Property, or of this Act, although no Entry shall be made in the Book of Registry aforesaid.

Copyright shall be Personal Property.

Sect. 25. And be it enacted, That all Copyright shall be deemed Personal Property, and shall be transmissible by Bequest, or, in case of Intestacy, shall be subject to the same Law of Distribution as other Personal Property, and in *Scotland* shall be deemed to be Personal and Moveable Estate.

General Issue.

Sect. 26. And be it enacted, That if any Action or Suit shall be commenced or brought against any Person or Persons whomsoever for doing or causing to be done any thing in pursuance of this Act, the Defendant or Defendants in such Action may plead the General Issue, and give the special Matter in Evidence; and if upon such Action a Verdict shall be given for the Defendant, or the Plaintiff shall become nonsuited, or discontinue his Action, then the Defendant shall have and recover his full Costs, for which he shall have the same Remedy as a Defendant in any Case by Law hath; and that all Actions, Suits, Bills, Indictments, or Informations for any Offence that shall be committed against this Act shall be brought, sued, and commenced within Twelve Calendar Months next after such Offence committed, or else the same shall be void and of none effect; provided that such Limitation of Time shall not extend or be construed to extend to any Actions, Suits, or other Proceedings which under the Authority of this Act shall or may be brought, sued, or commenced for or in respect of any Copies of Books to be delivered for the Use of the *British Museum*, or of any One of the Four Libraries herein-before mentioned.

Limitation of Actions;

not to extend to Actions, &c. in respect of the Delivery of Books.

Saving the Rights of the

Sect. 27. Provided always, and be it enacted, That nothing in this Act contained shall affect or alter the Rights of the Two

Universities of *Oxford* and *Cambridge*, the Colleges or Houses of Learning within the same, the Four Universities in *Scotland*, the College of the Holy and Undivided Trinity of Queen *Elizabeth* near *Dublin*, and the several Colleges of *Eton*, *Westminster*, and *Winchester*, in any Copyrights heretofore and now vested or hereafter to be vested in such Universities and Colleges respectively, any thing to the contrary herein contained notwithstanding.

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Universities,
and the Col-
leges of Eton,
Westminster,
and Winchester.

Sect. 28. Provided also, and be it enacted, That nothing in this Act contained shall affect, alter, or vary any Right subsisting at the Time of passing of this Act, except as herein expressly enacted; and all Contracts, Agreements, and Obligations made and entered into before the passing of this Act, and all Remedies relating thereto, shall remain in full force, any thing herein contained to the contrary notwithstanding.

Saving all subsisting Rights, Contracts, and Engagements.

Sect. 29. And be it enacted, That this Act shall extend to the United Kingdom of *Great Britain* and *Ireland*, and to every Part of the *British* Dominions.

Extent of the Act.

Sect. 30. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Aet may be
amended this
Session.

SCHEDULE to which the preceding Act refers.

No. 1. (I)

FORM of MINUTE of CONSENT to be entered at Stationers
Hall.

WE, the undersigned, *A. B.* of _____ the Author of a certain Book, intituled *Y. Z.* [*or the personal Representative of the Author, as the Case may be*], and *C. D.* of _____ do hereby certify, That we have consented and agreed to accept the Benefits of the Act passed in the Fifth Year of the Reign of Her Majesty Queen Victoria, Cap. _____, for the Extension of the Term of Copyright therein provided by the said Act, and hereby declare that such extended Term of Copyright therein is the Property of the said *A. B.* or *C. D.*

Dated this _____ Day of _____ 18 ____ .
Witness _____ (Signed) *A. B.*
C. D.

To the Registering Officer appointed by the Stationers
Company.

(1) See § 4.

No. 2. (1)

FORM OF REQUIRING ENTRY OF PROPRIETORSHIP.

I *A. B.* of _____ do hereby certify, That I am the Proprietor of the Copyright of a Book, intituled *Y. Z.*, and I hereby require you to make Entry in the Register Book of the Stationers Company of my Proprietorship of such Copyright, according to the Particulars underwritten.

Title of Book.	Name of Publisher, and Place of Publication.	Name and Place of Abode of the Proprietor of the Copyright.	Date of First Publication.
<i>Y. Z.</i>		<i>A. B.</i>	

Dated this _____ Day of _____ 18 .
 Witness *C. D.* (Signed) *A. B.*

No. 3. (2)

ORIGINAL ENTRY OF PROPRIETORSHIP OF COPYRIGHT OF A BOOK.

Time of making the Entry.	Title of Book.	Name of the Publisher, and Place of Publication.	Name and Place of Abode of the Proprietor of the Copyright.	Date of First Publication.
	<i>Y. Z.</i>	<i>A. B.</i>	<i>C. D.</i>	

(1) See § 13.

(2) See § 13.

No. 4. (1)

FORM of CONCURRENCE of the PARTY assigning in any
BOOK previously registered.

I *A. B.* of _____ being the Assigner of the Copyright of the Book hereunder described, do hereby require you to make Entry of the Assignment of the Copyright therein.

Title of Book.	Assigner of the Copyright.	Assignee of Copyright.
<i>Y. Z.</i>	<i>A. B.</i>	<i>C. D.</i>

Dated this _____ Day of _____ 18 .
(Signed) *A. B.*

No. 5. (2)

FORM of ENTRY of ASSIGNMENT of COPYRIGHT in any
BOOK previously registered.

Date of Entry.	Title of Book.	Assigner of the Copyright.	Assignee of Copyright.
	[<i>Set out the Title of the Book, and refer to the Page of the Registry Book in which the original Entry of the Copyright thereof is made.</i>]	<i>A. B.</i>	<i>C. D.</i>

(1) See § 13.

(2) See § 13.

7^o VICT. Cap. 12.

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An Act to amend the Law relating to International
Copyright. [10th May 1844.]

WHEREAS by an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for securing to Authors in certain Cases the Benefit of international Copyright* (and which Act is herein-after, for the sake of Perspicuity, designated as "the International Copyright Act"), Her Majesty was empowered by Order in Council to direct that the Authors of Books which should after a future Time, to be specified in such Order in Council, be published in any Foreign Country, to be specified in such Order in Council, and their Executors, Administrators, and Assigns, should have the sole Liberty of printing and reprinting such Books within the *British* Dominions for such Term as Her Majesty should by such Order in Council direct, not exceeding the Term which Authors, being *British* Subjects, were then, (that is to say) at the Time of passing the said Act, entitled to in respect of Books first published in the United Kingdom; and the said Act contains divers Enactments securing to Authors and their Representatives the Copyright in the Books to which any such Order in Council should extend: And whereas an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Law of Copyright* (and which Act is herein-after, for the sake of Perspicuity, designated as "the Copyright Amendment Act"), repealing various Acts therein mentioned relating to the Copyright of printed Books, and extending, defining, and securing to Authors and their Representatives the Copyright of Books: And whereas an Act was passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to Dramatic Literary Property* (and which Act is herein-after, for the sake of Perspicuity, designated as "the Dramatic Literary Property Act"), whereby the sole Liberty of representing or causing to be represented any Dramatic Piece in any Place of Dramatic Entertainment in any Part of the *British* Dominions, which should be composed and not printed or published by the Author thereof or his Assignee, was secured to such Author or his Assignee; and by the said Act it was enacted, that the Author of any such Production which should thereafter be printed and published, or his Assignee, should have the like sole Liberty of Representation until the End of Twenty-eight Years from the first Publication thereof: And whereas by the said Copyright

1 & 2 Vict. c. 59.

5 & 6 Vict. c. 45.

3 & 4 W. 4. c. 15.

Amendment Act the Provisions of the said Dramatic Literary Property Act and of the said Copyright Amendment Act were made applicable to Musical Compositions; and it was thereby also enacted, that the sole Liberty of representing or performing, or causing or permitting to be represented or performed, in any Part of the *British* Dominions, any Dramatic Piece or Musical Composition, should endure and be the Property of the Author thereof and his Assigns for the Term in the said Copyright Amendment Act provided for the Duration of the Copyright in Books, and that the Provisions therein enacted in respect of the Property of such Copyright should apply to the Liberty of representing or performing any Dramatic Piece or Musical Composition: And whereas under or by virtue of the Four several Acts next herein-after mentioned; (that is to say,) an Act passed in the Eighth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the Encouragement of the Arts of designing, engraving, and etching historical and other Prints, by vesting the Properties thereof in the Inventors or Engravers during the Time therein mentioned*; an Act passed in the Seventh Year of His late Majesty King George the Third, intituled *An Act to amend and render more effectual an Act made in the Eighth Year of the Reign of King George the Second, for Encouragement of the Arts of designing, engraving, and etching historical and other Prints; and for vesting in and securing to Jane Hogarth, Widow, the Property in certain Prints*; an Act passed in the Seventeenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for more effectually securing the Property of Prints to Inventors and Engravers, by enabling them to sue for and recover Penalties in certain Cases*; and an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to extend the Protection of Copyright in Prints and Engravings to Ireland*; (and which said Four several Acts are herein-after, for the sake of Perspicuity, designated as the Engraving Copyright Acts;) every Person who invents or designs, engraves, etches, or works in Mezzotinto or Chiaro-oscuro, or from his own Work, Design, or Invention causes or procures to be designed, engraved, etched, or worked in Mezzotinto or Chiaro-oscuro any historical Print or Prints, or any Print or Prints of any Portrait, Conversation, Landscape, or Architecture, Map, Chart, or Plan, or any other Print or Prints whatsoever, and every Person who engraves, etches, or works in Mezzotinto or Chiaro-oscuro, or causes to be engraved, etched, or worked, any Print taken from any Picture, Drawing, Model, or Sculpture, either ancient or modern, notwithstanding such Print shall not have been graven or drawn from the original Design of such Graver, Etcher, or Draftsman, is entitled to the Copyright of such Print for the Term of Twenty-eight Years from the first publishing thereof; and by the said several En-

8 G. 2. c. 13.

7 G. 3. c. 38.

17 G. 3. c. 57.

6 & 7 W. 4. c. 59.

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38 G. 3. c. 71.

54 G. 3. c. 56.

graving Copyright Acts it is provided that the Name of the Proprietor shall be truly engraved on each Plate, and printed on every such Print, and Remedies are provided for the Infringement of such Copyright: And whereas under and by virtue of an Act passed in the Thirty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for encouraging the Art of making new Models and Casts of Busts and other Things therein mentioned*, and of an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend and render more effectual an Act of His present Majesty, for encouraging the Art of making new Models and Casts of Busts and other Things therein mentioned, and for giving further Encouragement to such Arts*, (and which said Acts are, for the sake of Perspicuity, herein-after designated as the Sculpture Copyright Acts,) every Person who makes or causes to be made any new and original Sculpture, or Model or Copy or Cast of the Human Figure, any Bust or Part of the Human Figure clothed in Drapery or otherwise, any Animal or Part of any Animal combined with the Human Figure or otherwise, any Subject, being Matter of Invention in Sculpture, any Alto or Basso Relievo, representing any of the Matters aforesaid, or any Cast from Nature of the Human Figure or Part thereof, or of any Animal or Part thereof, or of any such Subject representing any of the Matters aforesaid, whether separate or combined, is entitled to the Copyright in such new and original Sculpture, Model, Copy, and Cast, for Fourteen Years from first putting forth and publishing the same, and for an additional Period of Fourteen Years in case the original Maker is living at the End of the first Period; and by the said Acts it is provided that the Name of the Proprietor, with the Date of the Publication thereof, is to be put on all such Sculptures, Models, Copies, and Casts, and Remedies are provided for the Infringement of such Copyright: And whereas the Powers vested in Her Majesty by the said International Copyright Act are insufficient to enable Her Majesty to confer upon Authors of Books first published in Foreign Countries Copyright of the like Duration, and with the like Remedies for the Infringement thereof, which are conferred and provided by the said Copyright Amendment Act with respect to Authors of Books first published in the *British Dominions*; and the said International Copyright Act does not empower Her Majesty to confer any exclusive Right of representing or performing Dramatic Pieces or Musical Compositions first published in Foreign Countries upon the Authors thereof, nor to extend the Privilege of Copyright to Prints and Sculpture first published abroad; and it is expedient to vest increased Powers in Her Majesty in this respect, and for that Purpose to repeal the said International Copyright Act, and to give such other Powers to Her Majesty, and to make such further Provisions, as are herein-after contained: Be it therefore enacted

by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act herein designated as the International Copyright Act shall be and the same is hereby repealed.

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Repeal of International
Copyright Act.

Sect. 2. And be it enacted, That it shall be lawful for Her Majesty, by any Order of Her Majesty in Council, to direct that, as respects all or any particular Class or Classes of the following Works, (namely,) Books, Prints, Articles of Sculpture, and other Works of Art, to be defined in such Order, which shall after a future Time, to be specified in such Order, be first published in any Foreign Country to be named in such Order, the Authors, Inventors, Designers, Engravers, and Makers thereof respectively, their respective Executors, Administrators, and Assigns, shall have the Privilege of Copyright therein during such Period or respective Periods as shall be defined in such Order, not exceeding, however, as to any of the above-mentioned Works, the Term of Copyright which Authors, Inventors, Designers, Engravers, and Makers of the like Works respectively first published in the United Kingdom may be then entitled to under the herein-before recited Acts respectively, or under any Acts which may hereafter be passed in that Behalf.

Her Majesty, by Order in Council, may direct that Authors, &c. of Works first published in Foreign Countries shall have Copyright therein within Her Majesty's Dominions.

Sect. 3. And be it enacted, That in case any such Order shall apply to Books, all and singular the Enactments of the said Copyright Amendment Act, and of any other Act for the Time being in force with relation to the Copyright in Books first published in this Country, shall, from and after the Time so to be specified in that Behalf in such Order, and subject to such Limitation as to the Duration of the Copyright as shall be therein contained, apply to and be in force in respect of the Books to which such Order shall extend, and which shall have been registered as herein-after is provided (1), in such and the same Manner as if such Books were first published in the United Kingdom, save and except such of the said Enactments, or such Parts thereof, as shall be excepted in such Order, and save and except such of the said Enactments as relate to the Delivery of Copies of Books at the *British Museum*, and to or for the Use of the other Libraries mentioned in the said Copyright Amendment Act.

If the Order applies to Books, the Copyright Law as to Books first published in this Country shall apply to the Books to which the Order relates, with certain Exceptions.

Sect. 4. And be it enacted, That in case any such Order shall apply to Prints, Articles of Sculpture, or to any such other Works of Art as aforesaid, all and singular the Enact-

If the Order applies to Prints, Sculptures, &c.,

(1) See § 6.

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the Copyright Law as to Prints or Sculptures first published in this Country shall apply to the Prints, Sculptures, &c. to which such Order relates.

ments of the said Engraving Copyright Acts and the said Sculpture Copyright Acts, or of any other Act for the Time being in force with relation to the Copyright in Prints or Articles of Sculpture first published in this Country, and of any Act for the Time being in force with relation to the Copyright in any similar Works of Art first published in this Country, shall, from and after the Time so to be specified in that Behalf in such Order, and subject to such Limitation as to the Duration of the Copyright as shall be therein contained respectively, apply to and be in force in respect of the Prints, Articles of Sculpture, and other Works of Art to which such Order shall extend, and which shall have been registered as herein-after is provided (1), in such and the same Manner as if such Articles and other Works of Art were first published in the United Kingdom, save and except such of the said Enactments or such Parts thereof as shall be excepted in such Order.

Her Majesty may, by Order in Council, direct that Authors and Composers of Dramatic Pieces and Musical Compositions first publicly represented and performed in Foreign Countries shall have similar Rights in the British Dominions.

Sect. 5. And be it enacted, That it shall be lawful for Her Majesty, by any Order of Her Majesty in Council, to direct that the Authors of Dramatic Pieces and Musical Compositions which shall after a future Time, to be specified in such Order, be first publicly represented or performed in any Foreign Country to be named in such Order, shall have the sole Liberty of representing or performing in any Part of the *British* Dominions such Dramatic Pieces or Musical Compositions during such Period as shall be defined in such Order, not exceeding the Period during which Authors of Dramatic Pieces and Musical Compositions first publicly represented or performed in the United Kingdom may for the Time be entitled by Law to the sole Liberty of representing and performing the same; and from and after the Time so specified in any such last-mentioned Order the Enactments of the said Dramatic Literary Property Act and of the said Copyright Amendment Act, and of any other Act for the Time being in force with relation to the Liberty of publicly representing and performing Dramatic Pieces or Musical Compositions, shall, subject to such Limitation as to the Duration of the Right conferred by any such Order as shall be therein contained, apply to and be in force in respect of the Dramatic Pieces and Musical Compositions to which such Order shall extend, and which shall have been registered as herein-after is provided, in such and the same Manner as if such Dramatic Pieces and Musical Compositions had been first publicly represented and performed in the *British* Dominions, save and except such of the said Enactments or such Parts thereof as shall be excepted in such Order.

Particulars to be observed as

Sect. 6. Provided always, and be it enacted, That no Author of any Book, Dramatic Piece, or Musical Composition, or his

(1) See § 6.

Executors, Administrators, or Assigns, and no Inventor, Designer, or Engraver of any Print, or Maker of any Article of Sculpture, or other Work of Art, his Executors, Administrators, or Assigns, shall be entitled to the Benefit of this Act, or of any Order in Council to be issued in pursuance thereof, unless, within a Time or Times to be in that Behalf prescribed in each such Order in Council, such Book, Dramatic Piece, Musical Composition, Print, Article of Sculpture, or other Work of Art, shall have been so registered, and such Copy thereof shall have been so delivered as herein-after is mentioned; (that is to say,) as regards such Book, and also such Dramatic Piece or Musical Composition, (in the event of the same having been printed,) the Title to the Copy thereof, the Name and Place of Abode of the Author or Composer thereof, the Name and Place of Abode of the Proprietor of the Copyright thereof, the Time and Place of the first Publication, Representation, or Performance thereof, as the Case may be, in the Foreign Country named in the Order in Council under which the Benefits of this Act shall be claimed, shall be entered in the Register Book of the Company of Stationers in *London*, and One printed Copy of the whole of such Book, and of such Dramatic Piece or Musical Composition, in the event of the same having been printed, and of every Volume thereof, upon the best Paper upon which the largest Number or Impression of the Book, Dramatic Piece, or Musical Composition shall have been printed for Sale, together with all Maps and Prints relating thereto, shall be delivered to the Officer of the Company of Stationers at the Hall of the said Company; and as regards Dramatic Pieces and Musical Compositions in Manuscript, the Title to the same, the Name and Place of Abode of the Author or Composer thereof, the Name and Place of Abode of the Proprietor of the Right of representing or performing the same, and the Time and Place of the first Representation or Performance thereof in the Country named in the Order in Council under which the Benefit of the Act shall be claimed, shall be entered in the said Register Book of the said Company of Stationers in *London*; and as regards Prints, the Title thereof, the Name and Place of Abode of the Inventor, Designer, or Engraver thereof, the Name of the Proprietor of the Copyright therein, and the Time and Place of the first Publication thereof in the Foreign Country named in the Order in Council under which the Benefits of the Act shall be claimed, shall be entered in the said Register Book of the said Company of Stationers in *London*, and a Copy of such Print, upon the best Paper upon which the largest Number or Impressions of the Print shall have been printed for Sale, shall be delivered to the Officer of the Company of Stationers at the Hall of the said Company; and as regards any such Article of Sculpture, or any such other Work of Art as aforesaid, a descriptive Title thereof, the Name and Place of Abode of the Maker thereof, the Name

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to Registry and
to Delivery of
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of the Proprietor of the Copyright therein, and the Time and Place of its first Publication in the Foreign Country named in the Order in Council under which the Benefit of this Act shall be claimed, shall be entered in the said Register Book of the said Company of Stationers in *London*; and the Officer of the said Company of Stationers receiving such Copies so to be delivered as aforesaid shall give a Receipt in Writing for the same, and such Delivery shall to all Intents and Purposes be a sufficient Delivery under the Provisions of this Act.

In case of Books published anonymously, the Name of the Publisher to be sufficient.

Sect. 7. Provided always, and be it enacted, That if a Book be published anonymously it shall be sufficient to insert in the Entry thereof in such Register Book the Name and Place of Abode of the first Publisher thereof, instead of the Name and Place of Abode of the Author thereof, together with a Declaration that such Entry is made either on behalf of the Author or on behalf of such first Publisher, as the Case may require.

The Provisions of the Copyright Amendment Act as regards Entries in the Register Book of the Company of Stationers, &c. to apply to Entries under this Act.

Sect. 8. And be it enacted, That the several Enactments in the said Copyright Amendment Act contained with relation to keeping the said Register Book, and the Inspection thereof, the Searches therein, and the Delivery of certified and stamped Copies thereof, the Reception of such Copies in Evidence, the making of false Entries in the said Book, and the Production in Evidence of Papers falsely purporting to be Copies of Entries in the said Book, the Applications to the Courts and Judges by Persons aggrieved by Entries in the said Book, and the expunging and varying such Entries, shall apply to the Books, Dramatic Pieces, and Musical Compositions, Prints, Articles of Sculpture, and other Works of Art, to which any Order in Council issued in pursuance of this Act shall extend, and to the Entries and Assignments of Copyright and Proprietorship therein, in such and the same Manner as if such Enactments were here expressly enacted in relation thereto, save and except that the Forms of Entry prescribed by the said Copyright Amendment Act may be varied to meet the Circumstances of the Case, and that the Sum to be demanded by the Officer of the said Company of Stationers for making any Entry required by this Act shall be One Shilling only.

As to expunging or varying Entry grounded in wrongful first Publication.

Sect. 9. And be it enacted, That every Entry made in pursuance of this Act of a first Publication shall be *prima facie* Proof of a rightful first Publication; but if there be a wrongful first Publication, and any Party have availed himself thereof to obtain an Entry of a spurious Work, no Order for expunging or varying such Entry shall be made unless it be proved to the Satisfaction of the Court or of the Judge taking cognizance of the Application for expunging or varying such Entry; first, with respect to a wrongful Publication in a Country to which the Author or first Publisher does not belong, and in

regard to which there does not subsist with this Country any Treaty of International Copyright, that the Party making the Application was the Author or first Publisher, as the Case requires; second, with respect to a wrongful first Publication either in the Country where a rightful first Publication has taken place, or in regard to which there subsists with this Country a Treaty of International Copyright, that a Court of competent Jurisdiction in any such Country where such wrongful first Publication has taken place has given Judgment in favour of the Right of the Party claiming to be the Author or first Publisher.

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INTERNATIONAL.

Sect. 10. And be it enacted, That all Copies of Books wherein there shall be any subsisting Copyright under or by virtue of this Act, or of any Order in Council made in pursuance thereof, printed or reprinted in any Foreign Country except that in which such Books were first published, shall be and the same are hereby absolutely prohibited to be imported into any Part of the *British* Dominions, except by or with the Consent of the registered Proprietor of the Copyright thereof, or his Agent authorized in Writing, and if imported contrary to this Prohibition the same and the Importers thereof shall be subject to the Enactments in force relating to Goods prohibited to be imported by any Act relating to the Customs; and as respects any such Copies so prohibited to be imported, and also as respects any Copies unlawfully printed in any Place whatsoever of any Books wherein there shall be any such subsisting Copyright as aforesaid, any Person who shall in any Part of the *British* Dominions import such prohibited or unlawfully printed Copies, or who, knowing such Copies to be so unlawfully imported or unlawfully printed, shall sell, publish, or expose to sale or hire, or shall cause to be sold, published, or exposed to sale or hire, or have in his Possession for sale or hire, any such Copies so unlawfully imported or unlawfully printed, such Offender shall be liable to a special Action on the Case at the Suit of the Proprietor of such Copyright, to be brought and prosecuted in the same Courts and in the same Manner, and with the like Restrictions upon the Proceedings of the Defendant, as are respectively prescribed in the said Copyright Amendment Act with relation to Actions thereby authorized to be brought by Proprietors of Copyright against Persons importing or selling Books unlawfully printed in the *British* Dominions.

Copies of Books wherein Copyright is subsisting under this Act printed in Foreign Countries other than those wherein the Book was first published prohibited to be imported.

Sect. 11. And be it enacted, That the said Officer of the said Company of Stationers shall receive at the Hall of the said Company every Book, Volume, or Print so to be delivered as aforesaid, and within One Calendar Month after receiving such Book, Volume, or Print shall deposit the same in the Library of the *British Museum*.

Officer of Stationers Company to deposit Books, &c. in the British Museum.

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INTERNATIONAL.

Second or
subsequent
Editions.

Sect. 12. Provided always, and be it enacted, That it shall not be requisite to deliver to the said Officer of the said Stationers Company any printed Copy of the Second or of any subsequent Edition of any Book or Books so delivered as aforesaid, unless the same shall contain Additions or Alterations.

Orders in Coun-
cil may specify
different Pe-
riods for diffe-
rent Foreign
Countries and
for different
Classes of
Works.

Sect. 13. And be it enacted, That the respective Terms to be specified by such Orders in Council respectively for the Continuance of the Privilege to be granted in respect of Works to be first published in Foreign Countries may be different for Works first published in different Foreign Countries and for different Classes of such Works; and that the Times to be prescribed for the Entries to be made in the Register Book of the Stationers Company, and for the Deliveries of the Books and other Articles to the said Officer of the Stationers Company, as herein-before is mentioned, may be different for different Foreign Countries and for different Classes of Books or other Articles.

No Order in
Council to have
any Effect
unless it states
that reciprocal
Protection is
secured.

Sect. 14. Provided always, and be it enacted, That no such Order in Council shall have any Effect unless it shall be therein stated, as the Ground for issuing the same, that due Protection has been secured by the Foreign Power so named in such Order in Council for the Benefit of Parties interested in Works first published in the Dominions of Her Majesty similar to those comprised in such Order.

Orders in Coun-
cil to be pub-
lished in Ga-
zette, and to
have same Effect
as this Act.

Sect. 15. And be it enacted, That every Order in Council to be made under the Authority of this Act shall as soon as may be after the making thereof by Her Majesty in Council be published in the *London Gazette*, and from the Time of such Publication shall have the same Effect as if every Part thereof were included in this Act.

Orders in Coun-
cil to be laid
before Parlia-
ment.

Sect. 16. And be it enacted, That a Copy of every Order of Her Majesty in Council made under this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders in Coun-
cil may be
revoked.

Sect. 17. And be it enacted, That it shall be lawful for Her Majesty by an Order in Council from Time to Time to revoke or alter any Order in Council previously made under the Authority of this Act, but nevertheless without Prejudice to any Rights acquired previously to such Revocation or Alteration.

Translations.

Sect. 18. Provided always, and be it enacted, That nothing in this Act contained shall be construed to prevent the printing,

Publication, or Sale of any Translation of any Book the Author whereof and his Assigns may be entitled to the Benefit of this Act.

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Sect. 19. And be it enacted, That neither the Author of any Book, nor the Author or Composer of any Dramatic Piece or Musical Composition, nor the Inventor, Designer, or Engraver of any Print, nor the Maker of any Article of Sculpture, or of such other Work of Art as aforesaid, which shall after the passing of this Act be first published out of Her Majesty's Dominions, shall have any Copyright therein respectively, or any exclusive Right to the public Representation or Performance thereof, otherwise than such (if any) as he may become entitled to under this Act.

Authors of
Works first
published in
Foreign
Countries not
entitled to
Copyright
except under
this Act.

Sect. 20. And be it enacted, That in the Construction of this Act the Word "Book" shall be construed to include "Volume," "Pamphlet," "Sheet of Letter Press," "Sheet of Music," "Map," "Chart," or "Plan;" and the Expression "Articles of Sculpture" shall mean all such Sculptures, Models, Copies, and Casts as are described in the said Sculpture Copyright Acts, and in respect of which the Privileges of Copyright are thereby conferred; and the Words "printing," and "re-printing," shall include engraving and any other Method of multiplying Copies; and the Expression "Her Majesty" shall include the Heirs and Successors of Her Majesty; and the Expressions "Order of Her Majesty in Council," "Order in Council," and "Order," shall respectively mean Order of Her Majesty acting by and with the Advice of Her Majesty's Most Honourable Privy Council; and the Expression "Officer of the Company of Stationers" shall mean the Officer appointed by the said Company of Stationers for the Purposes of the said Copyright Amendment Act; and in describing any Persons or Things any Word importing the Plural Number shall mean also One Person or Thing, and any Word importing the Singular Number shall include several Persons or Things, and any Word importing the Masculine shall include also the Feminine Gender; unless in any of such Cases there shall be something in the Subject or Context repugnant to such Construction.

Interpretation
Clause.

Sect. 21. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
repealed this
Session.

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DUTY ON BOOKS.

7^o & 8^o VICT. Cap. 73.

An Act to reduce, under certain Circumstances, the Duties payable upon Books and Engravings.

[6th August 1844.]

5 & 6 Vict. c. 47.

7 & 8 Vict. c. 12.

Her Majesty,
by Order in
Council, may
reduce the Du-
ties on Foreign
Books and
Prints in Cases
in which Copy-
right is allowed
to the Country
of Export under
7 & 8 Vict. c. 12.;

WHEREAS by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs*, certain Duties of Customs were granted and made payable upon Books and Prints of or from Foreign Countries: And whereas by an Act passed in the present Session of Parliament, intituled *An Act to amend the Law relating to International Copyright*, it is amongst other things enacted, that it shall be lawful for Her Majesty, by any Order in Council, to grant unto the Authors, Inventors, Designers, Engravers, or Makers of any Books, Prints, or other Works of Art first published in any Foreign Country specified in such Order, the Privilege of Copyright therein for certain Periods, and under certain Conditions, in the said last-mentioned Act defined and contained: And whereas it is expedient that Provision should be made in the Manner herein-after mentioned for reducing, in Cases where Her Majesty shall have issued any such Order in Council as aforesaid, the Duties of Customs now payable on the Importation of Books and Prints: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever and so often as Her Majesty shall by virtue of the said recited Power, by any Order or Orders in Council, declare that the Authors, Inventors, Designers, Engravers, or Makers of any Books, Prints, or other Works of Art first published in any Foreign Country shall have the Privilege of Copyright therein, then and in every such Case it shall be lawful for Her Majesty, by any Order or Orders in Council, to declare that in respect of Books and Prints, or either of them, published in and imported from such Foreign Country, the Duties of Customs now payable on the Importation of Books and Prints respectively shall, from and after a Time to be named in such Order or Orders, altogether cease and determine; and that in lieu thereof there shall be payable on such Books or Prints respectively, from and after such Time as aforesaid, only such Duties of Customs as are set forth in the Schedule to this Act annexed.

and may reduce
the Duties on
Books and

Sect. 2. And be it enacted, That with regard to Books and Prints published in and imported from any Foreign Country, between which Country and Her Majesty there is now sub-

sisting, and shall at the Time of the making of any such Order in Council as is herein-after described subsist, any Treaty or Convention binding Her Majesty to admit the Books and Prints of such Country, either conditionally or unconditionally, into the United Kingdom, on the same Terms as those of the most favoured Nation, it shall be lawful for Her Majesty, by any Order or Orders in Council, to declare that in respect of Books and Prints, or either of them, published in and imported from such Foreign Country, the Duties of Customs now payable on the Importation of Books and Prints respectively shall, from and after a Time to be named therein, altogether cease and determine, and that in lieu thereof there shall be payable on the Importation of such Books or Prints respectively, from and after such Time as aforesaid, only such Duties of Customs as are set forth in the Schedule to this Act annexed: Provided always, that in case the Privileges granted by any Treaty to any Foreign Country, in respect of which any such Order or Orders in Council as last aforesaid shall by virtue of this Enactment be issued, shall have been granted conditionally, such Order shall expressly declare that such Foreign Country hath duly fulfilled the Conditions required in return for such Privileges, and that it is entitled thereto.

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Prints in favour
of Countries
with which Her
Majesty has
Treaties of
Reciprocity.

If any Treaty
be conditional,
Order to state
the Fulfilment
of the Condi-
tion.

Sect. 3. And be it enacted, That it shall be lawful for Her Majesty, by any further Order or Orders in Council, from Time to Time to revoke the whole or any Part of any Order or Orders issued by Her Majesty in Council under the Authority of this Act; and that from and after a Day to be named in such Order or Orders of Revocation such Order or Orders issued under the Authority of this Act, or such Part thereof as shall be specified in such Order or Orders of Revocation, shall cease and determine, and that the Duties of Customs now payable upon Books and Prints respectively shall be payable in like Manner as if such Order or Orders, or such Part or Parts thereof respectively, had not been made.

Power to Her
Majesty in
Council to
revoke any
Orders.

Sect. 4. And be it enacted, That every Order or Orders in Council issued under the Authority of this Act shall, within Fourteen Days after the issuing thereof, be twice published in the *London Gazette*.

Orders to be
published in
the Gazette;

Sect. 5. And be it enacted, That a Copy of every Order or Orders in Council issued under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

and to be laid
before Parlia-
ment.

Sect. 6. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be
amended this
Session.

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DUTY ON BOOKS.

SCHEDULE to which the foregoing Act refers.

Books ; viz.		s.	d.
Works in the Language or Languages of the Country of Export, originally produced therein, or original Works of that Country in the dead Languages, or other Works in the dead Languages with original Commentaries produced in that Country	- - the Cwt.	15	0
All other Works published in the Country of Export, if printed prior to the Year 1801	- - the Cwt.	20	0
If printed in or since the Year 1801	- - the Cwt.	50	0
Prints and Drawings, plain or coloured,			
single -	- - each	0	0 $\frac{1}{2}$
Ditto -	bound or sewn - the Dozen	0	1 $\frac{1}{2}$

CORN.

5^o VICT. Sess. 2. Cap. 14.

An Act to amend the Laws for the Importation of Corn.
[29th April 1842.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws relating to the Importation of Corn*: And whereas it is expedient that the said Act should be repealed, and that new Provisions should be made in lieu thereof; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby repealed: Provided nevertheless, that all Acts or Parts of Acts which by virtue of the above-recited Act were repealed shall still be deemed and taken to be and remain repealed.

9 G. 4. c. 60.

Recited Act
repealed.

II. And whereas it is expedient that Corn, Grain, Meal, and Flour, the Growth, Produce, and Manufacture of any Foreign Country, or of any *British* Possession out of *Europe*, should be allowed to be imported into the United Kingdom for Consumption, upon the Payment of Duties to be regulated from Time to Time according to the average Price of *British* Corn made up and published in manner herein-after required (1); be it therefore enacted, That from and after the passing of this Act there shall be levied and paid to Her Majesty upon all Corn, Grain, Meal, or Flour entered for Home Consumption in the United Kingdom from Parts beyond the Seas, the several Duties specified and set forth in the Table annexed to this Act; and that the said Duties shall be raised, levied, collected, and paid in such and the same Manner in all respects as the several Duties of Customs mentioned and enumerated in the Table of Duties of Customs Inwards annexed to an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting Duties of Customs*, herein-after referred to as the Customs Duties Act, and by virtue and in pursuance of the several Powers and Provisions in that Act contained, and in the Acts amending the same, and not otherwise. (2)

Corn, &c. may be imported from Foreign Countries, and from the British Possessions out of Europe, on Payment of the Duties specified in the Table to this Act.

3 & 4 W. 4. c. 56.

(1) See § 28.

(2) The Act 3 & 4 W. 4. c. 56. has been repealed, but by 8 & 9 Vict. c. 90. § 3. the Duties on Corn are to be levied in the same Manner as the Duties in that Act.

CORN.

Repeal of
5 & 6 W. 4. c. 13.
imposing the
same Duties on
the Importation
of Foreign Corn
into the Isle of
Man as into the
United King-
dom, under
9 G. 4. c. 60.

Foreign Corn
imported into
the Isle of Man
to pay the same
Duties as are
imposed by this
Act on Foreign
Corn imported
into the United
Kingdom.

3 & 4 W. 4. c. 60.

Actions, &c. for
Breach of Pro-
visions of Acts
hereby repealed,
or for Duties
payable under
them, may be
proceeded with.

Regulations to
be observed on
shipping Corn
from any British
Possession out
of Europe.

III. And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Importation of Corn into the Isle of Man*, it was enacted, that it should not be lawful to import into the *Isle of Man* any Foreign Corn, Grain, Meal, or Flour, except upon Payment of the same Duties as were by the said recited Act of the Ninth Year of His late Majesty King *George* the Fourth made payable on the Importation into the United Kingdom of Corn, Grain, Meal, or Flour, which Duties were by the said Act now in recital directed to be ascertained, levied, and paid as therein is mentioned: And whereas it is expedient that the Duties payable on Foreign Corn, Grain, Meal, or Flour imported into the *Isle of Man* should be the same as those payable on the Importation of Foreign Corn, Grain, Meal, or Flour into the United Kingdom, and that for this Purpose the said recited Act for regulating the Importation of Corn into the *Isle of Man* should be repealed, and such Provision should be made in that Behalf as herein-after is contained; be it therefore enacted, That the said recited Act regulating the importation of Corn into the *Isle of Man* shall be and the same is hereby repealed; and that from and after the passing of this Act it shall not be lawful to import into the *Isle of Man* any Foreign Corn, Grain, Meal, or Flour, except upon Payment of the same Duties as are by this Act made payable upon Corn, Grain, Meal, or Flour imported from any Foreign Country, and entered for Home Consumption in the United Kingdom; and such Duties shall be levied, collected, and paid in such and the same Manner as if the same had been imposed by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Trade with the Isle of Man*.

IV. Provided always, and be it enacted, That all Actions, Suits, and Prosecutions now depending or hereafter to be brought, for or by reason of any Breach or Nonperformance of any of the Provisions of the said Acts hereby repealed, or either of them, or for the Recovery of any Duties or Sums of Money payable under or by virtue of the same Acts, or either of them, shall and may be proceeded with as fully and effectually to all Intents and Purposes as if this present Act had not been made.

Sect. 5. Provided always, and be it enacted, That no Corn, Grain, Meal, or Flour shall be shipped from any Port in any *British Possession* out of *Europe* as being the Produce of any such Possession until the Owner or Proprietor or Shipper thereof shall have made and subscribed, before the Collector or other Chief Officer of Customs at the Port of Shipment, a Declaration in Writing, specifying the Quantity of each Sort of

CORN.

such Corn, Grain, Meal, or Flour, and that the same was the Produce of some *British* Possession out of *Europe* to be named in such Declaration, nor until such Owner or Proprietor or Shipper shall have obtained from the Collector or other Chief Officer of the Customs of the said Port a Certificate, under his Signature, of the Quantity of Corn, Grain, Meal, or Flour so declared to be shipped; and before any Corn, Grain, Meal, or Flour shall be entered at any Port or Place in the United Kingdom as being the Produce of any *British* Possession out of *Europe* the Master of the Ship importing the same shall produce and deliver to the Collector or other Chief Officer of Customs of the Port or Place of Importation a Copy of such Declaration, certified to be a true and accurate Copy thereof, under the Hand of the Collector and other Chief Officer of Customs at the Port of Shipment before whom the same was made, together with the Certificate, signed by the said Collector or other Chief Officer of Customs of the Quantity of Corn so declared to be shipped; and such Master shall also make and subscribe, before the Collector or other Chief Officer of Customs at the Port or Place of Importation, a Declaration in Writing, that the several Quantities of Corn, Grain, Meal, or Flour on board such Ship, and proposed to be entered under the Authority of such Declaration, are the same that were mentioned and referred to in the Declaration and Certificate produced by him, without any Admixture or Addition; and if any Person shall in any such Declaration wilfully and corruptly make any false Statement respecting the Place of which any such Corn, Grain, Meal, or Flour was the Produce, or respecting the Identity of any such Corn, Grain, Meal, or Flour, such Person shall forfeit and become liable to pay to Her Majesty the Sum of One hundred Pounds, and the Corn, Grain, Meal, or Flour to such Person belonging on board any such Ship shall also be forfeited; and such Forfeiture shall and may be sued for, prosecuted, recovered, and applied in such and the same Manner in all respects as any Forfeiture incurred under and by virtue of the said Customs Duties Act.

Sect. 6. Provided always, and be it enacted, That it shall not be lawful to import from Parts beyond the Seas into the United Kingdom, for Consumption there, any Malt, or any Corn ground, except Wheat Meal, Wheat Flour, and Oatmeal; and that if any such Article as aforesaid shall be imported contrary to this Provision the same shall be forfeited; and such Forfeitures shall and may be sued for, prosecuted, recovered, and applied in such and the same Manner in all respects as any Forfeiture incurred under and by virtue of the said Customs Duties Act.

Prohibition of
Importation of
Malt, or Corn
ground, except
Wheat Meal,
Wheat Flour,
and Oatmeal.

Sect. 7. Provided always, and be it enacted, That the Commissioners of Her Majesty's Customs shall once in each Calen-

Accounts of
Corn imported,

CORN.

of Corn upon which Duty is paid, of the Rates of Duty, and of Corn in Warehouse, to be published monthly.

dar Month cause to be published in the *London Gazette* an Account of the total Quantity of each Sort of the Corn, Grain, Meal, and Flour respectively, which shall have been imported into the United Kingdom, and also an Account of the total Quantity of each Sort of the Corn, Grain, Meal, and Flour respectively upon which the Duties of Importation shall have been paid in the United Kingdom during the Calendar Month next preceding, and of the several Rates of Duty which shall from Time to Time during such Month have been payable upon each Sort of Corn, Grain, Meal, and Flour respectively, together with an Account of the total Quantity of each Sort of the said Corn, Grain, Meal, and Flour respectively remaining in Warehouse at the End of such next preceding Calendar Month.

If any Foreign State shall subject British Vessels, Goods, &c. to any higher Duties or Charges than are levied on the Vessels of other Countries, &c. Her Majesty may prohibit the Importation of Corn from such State.

Sect. 8. Provided always, and be it enacted, That if it shall be made to appear to Her Majesty in Council that any Foreign State or Power hath subjected *British* Vessels at any Port within the Dominions of such State or Power to any other or higher Duties or Charges whatever than are levied on national Vessels at any such Port, or hath subjected at any such Port Goods the Growth, Produce, or Manufacture of any of Her Majesty's Dominions, when imported from any of such Dominions in *British* Vessels, to any other or higher Duties or Charges whatever than are levied on such or the like Goods, of whatever Growth, Produce, or Manufacture, when so imported in national Vessels, or hath subjected, at any Port or Place within the Dominions of such Foreign State or Power, any Article of the Growth, Produce, or Manufacture of Her Majesty's Dominions, when imported from any of such Dominions in *British* Vessels or in national Vessels, to any Duties or Charges which would not be payable on the like Article being of the Growth, Produce, or Manufacture of any other Country, and imported from such other Country in national Vessels; or that any such Foreign State or Power hath granted any Bounties, Drawbacks, or Allowances upon the Exportation from any Port or Place within the Dominions thereof of any Articles the Growth, Produce, or Manufacture of the Dominions of any other Foreign State or Power, which hath not also been granted upon the Exportation from such Port or Place of such or the like Articles being the Growth, Produce, or Manufacture of Her Majesty's Dominions; then and in any of the Cases aforesaid it shall and may be lawful for Her Majesty, by any Order or Orders to be by Her made, with the Advice of Her Privy Council, to prohibit the Importation of all or of any Sort of Corn, Grain, Meal, or Flour from the Dominions of any such Foreign State or Power; and it shall also be lawful for Her Majesty from Time to Time, with the Advice of Her Privy Council, to revoke and to renew any such Orders or Order as aforesaid, as there shall be occasion.

Sect. 9. And whereas it is necessary, for regulating the Amount of such Duties, that effectual Provision should be made for ascertaining from Time to Time the average Prices of *British* Corn; be it therefore enacted, That weekly Returns of the Purchases and Sales of *British* Corn shall be made, collected, and transmitted, in the Manner herein-after directed (1), in and from the Cities and Towns named in the Schedule of Cities and Towns annexed to this Act.

CORN.

Weekly Returns of Purchases and Sales of Corn to be made in the Places herein-after directed.

Sect. 10. And be it enacted, That it shall be lawful for Her Majesty to appoint a fit and proper Person to be Comptroller of Corn Returns, for the Purposes herein-after mentioned, and to grant to such Comptroller of Corn Returns such Salary and Allowances as to Her Majesty shall seem meet: Provided always, that such Person shall be appointed to and shall hold such his Office during Her Majesty's Pleasure, and not otherwise, and shall at all Times conform to and obey such lawful Instructions touching the Execution of the Duties of such his Office as shall from Time to Time be given to him by the Lords of the Committee of Privy Council appointed for the Consideration of all Matters relating to Trade and Foreign Plantations.

Power of appointing a Comptroller of Corn Returns.

Sect. 11. And be it enacted, That the said Comptroller of Corn Returns shall at all Times execute the Duties of such his Office in Person, and not by Deputy; but that it shall be lawful for Her Majesty to appoint a fit and proper Person who shall act as Deputy Comptroller of Corn Returns in case of the Sickness or other Incapacity of the said Comptroller, or in case he the said Comptroller should, with the Permission of the Lords of the said Committee of Privy Council, be absent from the Duties of such his Office; and all and every the Powers hereby vested in the said Comptroller of Corn Returns, and all and every the Acts, Matters, and Things hereby directed to be done and performed by him, shall be vested in and shall and may be done and performed by any such Deputy as aforesaid, during the Continuance of any such Sickness, Incapacity, or Absence as aforesaid of the said Comptroller of Corn Returns; and such Deputy shall hold such his Office during Her Majesty's Pleasure, and not otherwise, and shall receive and be paid such Salary and Allowances as to Her Majesty shall seem meet.

Comptroller to execute his Office in Person. A Deputy may be appointed to act in certain Cases.

Sect. 12. And be it enacted, That it shall be lawful for the Lord Mayor and Aldermen of the City of *London*, at a Court to be holden for that Purpose, and they, or the Majority of them present at such Court, are hereby authorized and required, to nominate and appoint some fit and proper Person to be In-

Lord Mayor, &c. to appoint an Inspector of Corn Returns for the City of London.

(1) See §§ 17, 18, 23, 24, 25, 26, 27.

CORN.
—

spector of Corn Returns for the City of *London*; and it shall be lawful for the said Lord Mayor and Aldermen, from Time to Time as Occasion may require, upon any Misbehaviour or Neglect of Duty of any such Inspector, to remove him from such his Office, by any Order to be by them made at a Court to be specially convened and holden for that Purpose; and upon the Death, Resignation, permanent Incapacity, or Removal of any such Inspector of Corn Returns for the City of *London*, it shall be lawful for the said Lord Mayor and Aldermen, at a Court to be holden for that Purpose, and they, or a Majority of them present at any such Court, are hereby authorized and required to nominate and appoint some fit and proper Person to succeed to the said Office.

Said Inspector
to execute his
Office in Person.

A Deputy may
be appointed to
act in certain
Cases.

Sect. 13. And be it enacted, That the said Inspector of Corn Returns for the City of *London* shall at all Times execute the Duties of such his Office in Person, and not by Deputy; but that in case of the Sickness or other temporary Incapacity of the said Inspector it shall be lawful for the said Lord Mayor and Aldermen of the City of *London* to appoint some fit and proper Person to act as the Deputy of the said Inspector during the Continuance of any such Sickness or Incapacity as aforesaid of that Officer, and no longer; and all and every the Powers hereby vested in the said Inspector of Corn Returns for the City of *London*, and all and every the Acts, Matters, and Things hereby directed to be done and performed by him, shall and may be vested in and be done and performed by any such Deputy as aforesaid during the Continuance of such his Appointment.

Chancellors of
the Universities
of Oxford and
Cambridge to
appoint and
remove Inspectors of Corn
Returns for the
said City and
Town.

Sect. 14. And whereas it is expedient that the Inspectors of Corn Returns for the City of *Oxford* and the Town of *Cambridge* respectively should, as heretofore, be appointed and removed by the Chancellors, Masters, and Scholars of the respective Universities of *Oxford* and *Cambridge*, and should perform, as heretofore, the Duties of their respective Offices, and that the Chancellors, Masters, and Scholars of the said respective Universities should have Power to suspend such Inspectors respectively as herein-after is mentioned; be it therefore enacted, That the Chancellors, Masters, and Scholars of the Universities of *Oxford* and *Cambridge* respectively shall and they are hereby respectively authorized and required to nominate and appoint some fit and proper Person to be the Inspector of Corn Returns for the City of *Oxford* and the Town of *Cambridge* respectively, and it shall be lawful for the said Chancellors, Masters, and Scholars respectively from Time to Time as Occasion may require, upon any Misbehaviour or Neglect of Duty of any such Inspector, or for any other good and sufficient Cause to them respectively appearing, to remove or suspend any such Inspector from his Office; and upon the

Death, Resignation, Removal, or Suspension of any such Inspector of Corn Returns for the City of *Oxford* or Town of *Cambridge* it shall be lawful for the said respective Chancellors, Masters, and Scholars, and they are hereby authorized and required, respectively to nominate and appoint some fit and proper Person to succeed to the said Office vacant by such Death, Resignation, or Removal, or to hold the same during the Continuance of such Suspension (as the Case may be).

Sect. 15. And be it enacted, That no Person shall be eligible or shall be appointed to the Office of Inspector or Deputy Inspector of Corn Returns for the City of *London*, or to the Office of Inspector of Corn Returns for the City of *Oxford* or the Town of *Cambridge*, who, within Six Months next preceeding the Time of any such Appointment, shall have been engaged in Trade or Business as a Miller, Maltster, or Corn Factor, or who, during that Period shall, as a Merchant, Clerk, Agent, or otherwise, have bought Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof; and if any Inspector or Deputy Inspector of Corn Returns for the City of *London*, or any Inspector of Corn Returns for the City of *Oxford* or the Town of *Cambridge*, shall, during his Continuance in such his Office, engage in Trade or Business as a Miller, Maltster, or Corn Factor, or shall, as a Merchant, Clerk, Agent, or otherwise, buy Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof, he shall in manner aforesaid be removed from such his Office, and from and after the Time of such Removal shall become incapable of acting as Inspector of Corn Returns under this Act.

Sect. 16. And be it enacted, That every Nomination and Appointment so to be made as aforesaid of any Inspector of Corn Returns for the City of *London*, or of any Inspector of Corn Returns for the City of *Oxford* or the Town of *Cambridge*, shall be enrolled at the next Sessions of the Peace to be holden in and for such City or Town; and the said Enrolment, or a Copy thereof, certified under the Hand of the Clerk of the Peace for the said City of *London*, or under the Hand of the Town Clerk of the said City of *Oxford*, or of the Town Clerk of the said Town of *Cambridge*, as the Case may be, to be a true Copy, shall, for all Intents and Purposes, be and be deemed and taken to be good and conclusive Evidence of any such Appointment as aforesaid having been duly made.

Sect. 17. And be it enacted, That every Person who shall carry on Trade or Business in the City of *London*, or within Five Miles from the Royal Exchange in the said City, as a Corn Factor, or as an Agent employed in the Sale of *British* Corn, and every Person who shall sell any *British* Corn within the present Corn Exchange in *Mark Lane* in the said City,

CORN.

No Person dealing in Corn, Flour, or Malt to be appointed Inspector or Deputy Inspector of Corn Returns for the Cities of *London* or *Oxford* or Town of *Cambridge*.

Appointments of Inspectors for *London*, *Oxford*, and *Cambridge* to be enrolled.

Dealers in Corn in and near *London* to deliver in a Declaration to the Lord Mayor, &c.

CORN.
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or within any other Building or Place which now is or may hereafter be used within the City of *London*, or within Five Miles from the Royal Exchange in the said City, for such and the like Purposes for which the said Corn Exchange in *Mark Lane* hath been and is used, shall before he or they shall carry on such Trade or Business, or sell any Corn in manner aforesaid, make and deliver to the Lord Mayor or One of the Aldermen of the City of *London* a Declaration in the following Words; (that is to say,)

Form of
Declaration.

‘ I *A.B.* do declare, That the Returns to be by me made, conformably to an Act passed in the Fifth Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], of the Quantities and Prices of *British Corn* which henceforth shall be by or for me sold or delivered, shall, to the best of my Knowledge and Belief, contain the whole Quantity, and no more, of the Corn *bonâ fide* sold and delivered by or for me within the Periods to which such Returns respectively shall refer, with the Prices of such Corn, and the Names of the Buyers respectively, and of the Persons for whom such Corn shall have been sold by me respectively, and to the best of my Judgment the said Return shall in all respects be conformable to the Provisions of the said Act.’

Which Declaration shall be in Writing, and shall be subscribed with the Hand of the Person so making the same; and the Lord Mayor or such Alderman as aforesaid of the City of *London* for the Time being shall and he is hereby required to deliver a Certificate thereof, under his Hand, to the Inspector of Corn Returns for the City of *London*, to be by him registered in a Book to be by him provided and kept for that Purpose.

Dealers in Corn
to make Re-
turns to Corn
Inspector.

Sect. 18. And be it enacted, That every such Corn Factor and other Person as aforesaid who is herein-before required to make and who shall have made such Declaration as aforesaid shall and he or she is hereby required to return or cause to be returned, on *Wednesday* in each and every Week, to the Inspector of Corn Returns for the City of *London*, an Account in Writing, signed with his or her own Name, or the Name of his or her Agent duly authorized in that Behalf, of the Quantities of each respective Sort of *British Corn* by him or her sold during the Week ending on and including the next preceding *Tuesday*, with the Prices thereof, and the Amount of every Parcel, with the total Quantity and Value of each Sort of Corn, and by what Measure or Weight the same was sold, and the Names of the Buyers thereof, and of the Persons for and on behalf of whom such Corn was sold; and it shall be lawful for any such Inspector of Corn Returns to deliver to any Person making or tendering any such Returns a Notice in Writing requiring him or her to declare and set forth therein where and by whom and in what Manner any such *British Corn*

was delivered to the Purchaser or Purchasers thereof; and every Person to whom any such Notice shall be so delivered shall and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return, or in a separate Statement in Writing, the several Particulars aforesaid.

CORN.

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Sect. 19. And be it enacted, That the Comptroller and Deputy Comptroller of Corn Returns, and the Inspectors of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge* respectively, who at or immediately before the passing of this Act shall respectively hold such Offices or Appointments under and by virtue of the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, shall and they are hereby authorized and required respectively, without further Appointment, to hold and forthwith to act in such their Offices or Appointments under and by virtue of this present Act, and to discharge the several Duties of and belonging to such their former Offices or Appointments, in such and the same Manner, and as fully and effectually, to all Intents and Purposes, as if they had been respectively appointed to such their Offices or Appointments as aforesaid under and by virtue of this present Act; and each and every Inspector of Corn Returns for any City or Town other than the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, who at or immediately before the passing of this Act shall hold such Office or Appointment under or by virtue of the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, shall and they are hereby respectively authorized to continue to hold their respective Offices or Appointments until the Twenty-fourth Day of *June* next after the passing of this Act, and are hereby authorized and required to perform the several Duties herein-after assigned to them: Provided nevertheless, that, except so far as respects the Inspector of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, and such other Inspectors of Corn Returns as shall be continued in Office by virtue of the Warrant of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, as herein-after is provided, the Office or Appointment of every Inspector of Corn Returns, who at or immediately before the passing of this Act shall hold such Office or Appointment, shall on the said Twenty-fourth Day of *June* next after the passing of this Act cease and determine.

The present Comptroller, Deputy Comptroller, and Inspectors of Corn Returns for *London*, *Oxford*, and *Cambridge* to continue in Office.

The Appointments of the other Inspectors of Returns to cease on the 24th Day of *June* next after the passing of this Act.

Sect. 20. And be it enacted, That in the several Cities and Towns enumerated in the said Schedule hereunto annexed, except the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, and except the Cities or Towns in which the Inspectors of Corn Returns, appointed under or by virtue of the said recited Act of the Ninth Year of the Reign of His

In other Cities and Towns than *London*, *Oxford*, and *Cambridge*, Officers of Excise to act as Corn Inspectors.

CORN.

tors, and attend
at Places ap-
pointed.

late Majesty King *George* the Fourth, shall for the Time being continue to hold their respective Offices under the Provisions of this Act, the Duties of Inspector of Corn Returns shall be performed as herein-after is mentioned by the Officers of Excise, under the Orders and Directions of the Commissioners of Excise; and in order thereto, the Commissioners of Excise shall cause a fit and convenient Place to be appointed, such Place to be varied from Time to Time as the said Commissioners may see Occasion, at which the Accounts by this Act required to be returned by Persons purchasing Corn within such Cities and Towns respectively shall be delivered, and shall cause an Officer of Excise to attend at such Place on the Days on which such Accounts are required to be returned, for the Purpose of receiving the same; and every Officer of Excise attending at such Place and receiving such Returns shall be deemed and taken to be an Inspector of Corn Returns under the Provisions of this Act.

Commissioners
of Excise to
make known the
Place to be
appointed for
delivering Re-
turns of Corn
purchased.

Sect. 21. And be it enacted, That the Commissioners of Excise shall, as soon as such Place for receiving such Returns shall have been fixed and appointed in any such City or Town as aforesaid, cause the same to be made known by Advertisement in the *London Gazette* and in some Newspaper circulating within the City or Town, and shall also cause a Board to be affixed in the Market House, or, if there shall be no Market House, in some conspicuous Place near to the Place where the Corn Market is usually held in such City or Town, setting forth the Place at which such Accounts of Corn bought within the City or Town are to be delivered; and any Person who shall wilfully and maliciously remove, deface, obliterate, or injure any such Board, or the Writing thereon, or any Part thereof, shall for each such his Offence forfeit and pay a Sum not exceeding Five Pounds.

Inspectors of
Corn Returns
may continue
to hold their
Offices by War-
rant of the
Commissioners
of the Treasury.

Sect. 22. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, by any Warrant or Warrants under the Hands of them or any Three or more of them, to be signed before the Twenty-fourth Day of *June* next after the passing of this Act, to order and direct that the Person who at or immediately before the Time of the passing of this Act shall hold the Office of Inspector of Corn Returns in any City or Town named in such Order, other than the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, under or by virtue of the said recited Act of the Ninth Year of His late Majesty King *George* the Fourth, shall continue to hold such Office, and such Person shall accordingly be Inspector of Corn Returns for such City or Town under this Act, until he shall die or resign, or until the Determination of his Office or Appointment as herein-after is mentioned, and shall, as respects the City or Town for

which he is so continued as Inspector, perform, under the Orders and Directions of the Commissioners of Excise, the Duties assigned to him by this Act; and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, by any Warrant under the Hands of them, or any Three or more of them, to direct that at any Time to be named in such Warrant the Office or Appointment of any such Inspector of Corn Returns so continued in Office by any such previous Warrant as aforesaid shall cease and determine, and the Office or Appointment of such Inspector shall cease and determine accordingly; and in case of the Death, Resignation, or Determination of Office of any such Inspector of Corn Returns so continued in Office in any City or Town by such previous Warrant as aforesaid, the Duties of Inspector of Corn Returns for such City or Town shall thenceforth be performed by the Officers of Excise, as herein-before is mentioned. (1)

CORN.
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Sect. 23. And be it enacted, That every Person who shall deal in *British* Corn at or within any City or Town named in the said Schedule hereunto annexed, other than the City of *London*, or who shall at or within any such City or Town engage in or carry on the Trade or Business of a Corn Factor, Miller, Maltster, Brewer, or Distiller, or who shall be the Owner or Proprietor, or Part Owner or Proprietor, of any Stage Coaches, Waggons, Carts, or other Carriages carrying Goods or Passengers for Hire to and from any such City or Town, and each and every Person who, as a Merchant, Clerk, Agent, or otherwise, shall purchase at any such City or Town any *British* Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof, shall before he or she shall so deal in *British* Corn at any such City or Town, or shall engage in or carry on any such Trade or Business as aforesaid, or shall purchase any *British* Corn for any such Purpose as aforesaid, at or within any such City or Town, make and deliver, in manner herein-after mentioned, a Declaration in the following Words; (that is to say,)

Dealers in Corn
in Cities and
Towns to make
Declaration.

‘ I *A.B.* do declare, That the Returns to be by me made, conformably to the Act passed in the Fifth Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], of the Quantities and Prices of *British* Corn which henceforward shall by or for me be bought, shall, to the best of my Knowledge and Belief, contain the whole Quantity, and no more, of the *British* Corn *bonâ fide* bought for or by me within the Periods to which such Returns respectively shall refer, with the Prices of such Corn, and the Names of the Sellers respectively, and to the best of my Judgment the said Returns shall in all respects be conformable to the Provisions of the said Act.’

Form of Declaration.

(1) See § 21.

CORN.

Declaration to be delivered to the Mayor, &c., who shall give a Certificate thereof to the Officer of Excise acting as Inspector of Corn Returns.

Which Declaration shall be in Writing, and shall be subscribed with the Hand of the Person so making the same, and shall by him or her, or by his or her Agent, be delivered to the Mayor or Chief Magistrate or to some Justice of the Peace for such City or Town, or for the County, Riding, or Division in which the same is situate, who are hereby required to deliver a Certificate thereof to the Officer of Excise acting as Inspector of Corn Returns for such City or Town as aforesaid, or to such continuing Inspector of Corn Returns as aforesaid for such City or Town (as the Case may be), to be by such Officer or Inspector registered in a Book to be by him provided and kept for that Purpose.

Inspectors of Corn Returns empowered to require such Declaration from Corn Dealers.

Sect. 24. And be it enacted, That it shall be lawful for the Inspectors of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge* respectively, and for any Officer of Excise acting as Inspector of Corn Returns in any such other City or Town as aforesaid, or for any continuing Inspector of Corn Returns in any such other City or Town as aforesaid, to serve upon and deliver to any Person buying or selling Corn in any such City or Town, and who is not within the Terms and Meaning of this present Act specially required to make any such Declaration as aforesaid, a Notice in Writing under the Hand of such Inspector or Officer, requiring him to make such Declaration as aforesaid; and every such Person upon whom such Notice shall be served as aforesaid shall and he is hereby required to comply with such Notice, and to make such Declaration, in such and the same Manner in all respects as if he or she had been specially required to make the same by the express Provisions of this present Act.

Corn Dealers to make Returns in Writing to Inspectors of the Corn bought by them.

Sect. 25. And be it enacted, That all Persons who are hereinbefore required to make and who shall have made such Declaration as aforesaid, shall and they are hereby required, on the first Market Day which shall be holden in each and every Week within each and every City or Town named in the said Schedule hereunto annexed, except the City of *London*, at or within which they shall respectively deal in Corn, or engage in or carry on any such Trade or Business as aforesaid, or purchase any Corn for any such Purpose as aforesaid, to return or cause to be returned to the Officer of Excise acting as Inspector of Corn Returns for such City or Town, at the Place appointed for receiving such Returns, or to the continuing Inspector of Corn Returns for such City or Town, or to the Inspector of Corn Returns for the City of *Oxford* or the Town of *Cambridge*, (as the Case may be,) an Account in Writing, signed with their Names respectively, of the Amount of each and every Parcel of each respective Sort of *British* Corn (1)

so by them respectively bought during the Week ending on and including the Day next preceding such First Market Day as aforesaid, with the Price thereof, and by what Weight or Measure the same was so bought by them, with the Names of the Sellers of each of the said Parcels respectively, with the Names of the Person or Persons, if any, other than the Person making such Return, for or on account of whom the same was so bought and sold; and it shall be lawful for any such Officer of Excise acting as Inspector of Corn Returns, or any such continuing Inspector of Corn Returns as aforesaid, to deliver to any Person making or tendering any such Return a Notice in Writing requiring him or her to declare and set forth where and by whom and in what Manner any such *British* Corn was delivered to him or her; and every Person to whom any such Notice shall be so delivered shall and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return, or in a separate Statement in Writing, the several Particulars aforesaid

Sect. 26. And be it enacted, That the Inspector of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, and every Officer of Excise acting as Inspector of Corn Returns for the several other Cities and Towns aforesaid, and every such continuing Inspector of Corn Returns for any of such other Cities or Towns as aforesaid, shall duly and regularly enter in a Book, to be by him provided and kept for that Purpose, the several Accounts of the Quantities and Prices of Corn returned to him by such Persons respectively as aforesaid; and every such Inspector of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, and every Officer of Excise acting as Inspector of Corn Returns, and every such continuing Inspector of Corn Returns as aforesaid, for any of the several other Cities and Towns enumerated in the said Schedule, shall in each and every Week return to the Comptroller of Corn Returns an Account of the weekly Quantities and Prices of the several Sorts of *British* Corn sold in the City of *London*, or in the City or Town for which he shall be or act as Inspector, according to the Returns so made to him as aforesaid, and in such Form as shall be from Time to Time prescribed and directed by the said Comptroller of Corn Returns; and the said Returns shall be so made to the said Comptroller by the Inspector of Corn Returns for the City of *London* on *Friday* in each Week, and by the respective Inspectors of Corn Returns for the City of *Oxford* and the Town of *Cambridge*, and by the respective Officers of Excise acting as Inspectors of Corn Returns, and by the respective continuing Inspectors of Corn Returns, for the several other Cities and Towns aforesaid, within Three Days next after the First Market Day holden in each and every Week in any such City or Town.

Inspectors to enter Returns made to them in a Book; and transmit to the Comptroller weekly an Account of the Quantities and Prices of Corn sold.

CONN.

Inspectors not to include Returns until they have ascertained that the Persons making them have taken the Declaration required.

Sect. 27. And be it enacted, That no Inspector of Corn Returns in the City of *London*, the City of *Oxford*, or the Town of *Cambridge*, nor any Officer of Excise acting as Inspector of Corn Returns in any other of the Cities or Towns aforesaid, nor any such continuing Inspector of Corn Returns in any of such other Cities or Towns as aforesaid, shall include in the Return so to be made by them as aforesaid to the Comptroller of Corn Returns any Account of Sales or Purchases of Corn, unless such Inspector or Officer shall have received satisfactory Proof that the Person tendering such Account hath made the Declaration herein-before required, and hath delivered the same to the Lord Mayor or an Alderman of the City of *London*, Mayor or Chief Magistrate or to some Justice of the Peace of the City or Town for which such Officer or Inspector shall be acting as Inspector of Corn Returns, or to some Justice of the Peace for the County, Riding, or Division in which such City or Town is situate, or that such Person hath previously to the passing of this Act made and duly delivered the Declaration required of him by the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth.

Average Prices to be made up and published every Week.

Sect. 28. And be it enacted, That the average Prices of all *British* Corn, by which the Rate and Amount of the said Duties shall be regulated, shall be made up and computed on *Thursday* in each and every Week, in manner following; (that is to say,) the said Comptroller of Corn Returns shall on such *Thursday* in each Week, from such Returns as shall be received by him during the Week next preceding, ending on and including the *Saturday* in such preceding Week, add together the total Quantities of each Sort of *British* Corn respectively appearing by such Returns to have been sold, and the total Prices for which the same shall thereby appear to have been sold, and shall divide the Amount of such total Prices respectively by the Amount of such total Quantities of each Sort of *British* Corn respectively, and the Sum produced thereby shall be added to the Sums in like Manner produced in the Five Weeks immediately preceding the same, and the Amount of such Sums so added shall be divided by Six, and the Sum thereby given shall be deemed and taken to be the aggregate average Price of each such Sort of *British* Corn respectively, for the Purpose of regulating and ascertaining the Rate and Amount of the said Duties; and the said Comptroller of Corn Returns shall cause such aggregate weekly Averages to be published in the next succeeding Gazette, and shall on *Thursday* in each Week transmit a Certificate of such aggregate average Prices of each Sort of *British* Corn to the Collector or other Chief Officer of the Customs at each of the several Ports of the United Kingdom, and to the Collector or other Chief Officer of the Customs at the Port of *Douglas* in the *Isle of Man*; and the Rate and Amount of the Duties to be paid under the Pro-

Certificate of Averages to be transmitted to the Chief Officers of Customs.

Rate and Amount of

visions of this Act shall from Time to Time be regulated and governed at each of the Ports of the United Kingdom respectively by the aggregate average Prices of *British Corn* at the Time of the Entry for Home Consumption of any Corn, Grain, Meal, or Flour chargeable with any such Duty, as such aggregate average Prices shall appear and be stated in the last of such Certificates as aforesaid, which shall have been received as aforesaid by the Collector or other Chief Officer of Customs at such Port; and the Rate and Amount of the Duties to be paid under the Provisions of this Act shall from Time to Time be regulated and governed in the *Isle of Man* by the aggregate average Prices of *British Corn* at the Time of the Importation into the *Isle of Man* of any Corn, Grain, Meal, or Flour chargeable with any such Duty, as such aggregate average Prices shall appear and be stated in the last of such Certificates as aforesaid which shall have been received as aforesaid by the Collector or other Chief Officer of Customs at the Port of *Douglas*.

CORN.

Duties, how
to be regulated.

Sect. 29. Provided always, and be it enacted, That in the Returns so to be made as aforesaid to the Comptroller of Corn Returns, and in the Publications so to be made from Time to Time in the *London Gazette*, and in the Certificates so to be transmitted by the said Comptroller of Corn Returns to such Collectors or other Chief Officers of the Customs as aforesaid, the Quantities of each Sort of *British Corn* respectively shall be computed and set forth by, according, and with reference to the Imperial Standard Gallon, as the same is declared and established by a certain Act passed in the Fifth Year of His late Majesty King *George the Fourth*, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, as the said Act is amended or altered by a certain other Act passed in the Sixth Year of His late Majesty King *George the Fourth*, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures; and to amend the said Act*, and by a certain other Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to repeal an Act of the Fourth and Fifth Year of His present Majesty, relating to Weights and Measures; and to make other Provisions instead thereof*.

How Quantities
of Corn are to
be computed.

5 G. 4. c. 74.

6 G. 4. c. 12.

5 & 6 W. 4. c. 63.

Sect. 30. Provided always, and be it enacted, That until a sufficient Number of weekly Returns shall have been received by the said Comptroller of Corn Returns under this Act to afford such aggregate average Prices of *British Corn* as aforesaid, the weekly average Prices of *British Corn* published by him immediately before the passing of this Act shall by him be used and referred to in making such Calculations as aforesaid,

Until sufficient
Number of Re-
turns are made,
Comptroller
may use the
present Ave-
rages.

CORN.
—

in such and the same Manner as if the same had been made up and taken under and in pursuance of this Act.

What shall be deemed British Corn.

Sect. 31. Provided always, and be it enacted, That all Corn or Grain the Produce of the United Kingdom shall be deemed and taken to be *British* Corn for the Purposes of this Act.

If any Corn Return is believed fraudulent, the same may be omitted in the Computation.

Sect. 32. Provided always, and be it enacted, That if the said Comptroller of Corn Returns shall at any Time see Cause to believe that any Return made to the Inspector of Corn Returns for the City of *London*, the City of *Oxford*, or the Town of *Cambridge*, or to any Officer of Excise acting as Inspector of Corn Returns, or any such continuing Inspector as aforesaid, for any other City or Town as aforesaid, is fraudulent or untrue, the said Comptroller shall and he is hereby required with all convenient Expedition to lay before the Lords of the said Committee of Privy Council a Statement of the Grounds of such his Belief; and if upon Consideration of any such Statement the said Lords of the said Committee shall direct the said Comptroller to omit any such Return in the Computation of such aggregate weekly average Price as aforesaid, then and in that Case, but not otherwise, the said Comptroller of Corn Returns shall be and he is hereby authorized to omit any such Return in the Computation of such aggregate weekly average Price.

Corn Dealers having made the Declaration previous to this Act shall transmit Returns, and comply with the Rules hereby required.

Sect. 33. And be it enacted, That any Corn Factor, Dealer, or other Person who at or previously to the Time when this present Act shall come into operation shall have made the Declaration required of him in and by the said Act so passed as aforesaid in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, shall and he or she is hereby required forthwith to make all such Returns to the Inspectors for the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, and to the respective Officers of Excise acting as Inspectors of Corn Returns in the several other Cities and Towns aforesaid, at the respective Places appointed for receiving such Returns as aforesaid, or to such continuing Inspector of Corn Returns as aforesaid in any such other Cities or Towns, (as the Case may be,) and to perform and do all such Acts, Matters, and Things, and to comply with and observe all such Rules and Regulations, as are hereby required or directed of or in regard to Persons who have made any Declaration required of them in and by the present Act, although he or she may not have actually made such last mentioned Declaration.

Comptroller to issue Directions respecting Inspection of Books of Inspectors.

Sect. 34. And be it enacted, That the Comptroller of Corn Returns shall and he is hereby authorized from Time to Time, in pursuance of any Instructions which he shall receive in that Behalf from the Lords of the said Committee of Privy Council, to issue to the Inspectors of Corn Returns for the City of

London, the City of *Oxford*, and the Town of *Cambridge* respectively, any general or special Directions respecting the Inspection by any Person or Persons of the Books so directed as aforesaid to be kept by such Inspector of Corn Returns; and no such Inspectors for the City of *London*, the City of *Oxford*, or the Town of *Cambridge* shall permit or suffer any Person to inspect any such Book, or to peruse or transcribe any Entry therein, except in compliance with some such general or special Directions from the said Comptroller of Corn Returns.

CORN.

Inspectors not to permit Books to be perused without such Directions.

Sect. 35. And be it enacted, That the Inspectors of Corn Returns for the City of *Oxford* and the Town of *Cambridge* respectively, and each and every Officer of Excise acting as Inspector of Corn Returns, and each and every such continuing Inspector of Corn Returns as aforesaid for any City or Town other than the City of *London*, shall and he is hereby required, on each and every Market Day, to put up or cause to be put up in the Market Place of the City or Town for which he shall act as Inspector, or if there shall be no Market Place in such City or Town then in some other conspicuous Place therein near to where the Corn Market is usually held, a Copy of the last Return made by him to the Comptroller of Corn Returns, omitting the Names of the Parties who may have sold and bought the said Corn; and every such Officer or Inspector shall also again put up such Account on the Market Day immediately following that on which it shall first have been put up, in case the same shall from Accident or any other Cause have been removed, and shall take due Care that the same shall remain up for public Inspection until a new Account for the ensuing Week shall have been prepared and set up.

Copy of the last Return to be affixed on Market Place on each Market Day.

Sect. 36. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, by any Warrant or Warrants to be for that Purpose from Time to Time made and issued, to settle and allow such reasonable and moderate Salaries as shall be paid and payable to the said Inspectors of Corn Returns for the City of *London*, the City of *Oxford*, and the Town of *Cambridge* respectively, and to such continuing Inspectors of Corn Returns as aforesaid, for and in consideration of the Duties so to be performed by them: Provided always, that the Salary so to be allowed to the Inspector of Corn Returns for the City of *London* shall not in any One Year exceed the Sum of Three hundred Pounds, in consideration of which Salary he shall and is hereby required to keep and maintain a proper and convenient Apartment or Place of Business at or near to the said Corn Exchange in *Mark Lane*, for transacting the Duties of such his Office, and to defray all incidental Charges and Expences of and attendant upon such his Office: Provided also, that the Salary to be granted to the Inspectors of Corn Returns for the City of *Oxford* and the

Treasury to fix Salaries of Inspectors.

CORN.

Town of *Cambridge* respectively, and to any such continuing Inspector of Corn Returns as aforesaid for any other of the Cities or Towns aforesaid, shall not exceed Fifty Pounds in any One Year for such Inspector, or a proportionate Sum for any Period less than a Year.

Regulation as
to Payment of
Salaries.

Sect. 37. And be it enacted, That the Salary aforesaid allowed to the Inspector of Corn Returns for the said City of *London* shall be paid quarterly by the Receiver General of the Customs or of the Excise in or for the City of *London*; and the Salaries which shall be allowed to the Inspectors of Corn Returns for the City of *Oxford* and the Town of *Cambridge* respectively, or to any such continuing Inspectors of Corn Returns as aforesaid for any City or Town other than the City of *London*, shall, as regards those Persons whose Offices or Appointments are hereby continued until the said Twenty-fourth Day of *June* next after the passing of this Act, and are then to cease, be paid to them up to that Day, and as regards the Inspectors of Corn Returns for the City of *Oxford* and the Town of *Cambridge* respectively, and those Persons who shall be continued in Office after the said Twenty-fourth Day of *June*, by virtue of the Warrant of the Commissioners of Her Majesty's Treasury, as herein-before is mentioned, shall be paid quarterly; and such Salaries shall be paid by the Collectors or other Chief Officers of the Customs or Excise in or for the Cities or Towns for which such continuing Inspectors as aforesaid shall be respectively acting; provided that no such Payment of Salary shall be made either to the Inspector of the Corn Returns for the City of *London*, or to any such continuing Inspector of Corn Returns as aforesaid, unless the Inspector of Corn Returns claiming the same shall first produce and deliver to the Receiver General or Collector of the Customs or Excise by whom the same is to be paid a Certificate under the Hand of the Comptroller of Corn Returns, certifying that such Inspector hath duly made the Returns required of him by this present Act, during the Period in respect of which any such Payment is to be made, and which Certificate such Comptroller is hereby required, on the Application of any such Inspector as aforesaid, to grant, unless any such Inspector shall, without good and sufficient Cause, have neglected or omitted to make such Returns as aforesaid, or some of them: Provided also, that if the Duties of the said Office of Inspector of Corn Returns for the City of *London* shall during any such Quarter of a Year as aforesaid have been discharged wholly or in part by a Deputy, the Comptroller of Corn Returns shall in such Certificate as aforesaid specify the Length of Time during which such Deputy hath so acted, and the whole or a proportionate Part, as the Case may be, of any such quarterly Payment, shall in that Case be paid to the said Deputy.

Sect. 38. And whereas the Persons who at the Time of the passing of this Act respectively hold the Offices or Appointments of Inspectors of Corn Returns in any of the Cities or Towns aforesaid, other than the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, will, by reason of the Determination of their respective Offices and Appointments under the Provisions of this Act, cease to receive the Salaries attached thereto, and it may be reasonable and fit that Compensation should be made to such Persons; be it therefore enacted, That it shall be lawful for any Three or more of the Commissioners of Her Majesty's Treasury for the Time being, by Warrant under their Hands, to order and direct that such annual Compensation or Allowance, not exceeding in any Case the annual Salary of the Office in respect of which such Compensation or Allowance is granted, as to them in their Discretion shall seem just and reasonable, having due Regard to the Length of Service and Conduct of the Parties, shall be made to the several Persons who at or immediately before the Time of the passing of this Act shall respectively hold Offices or Appointments of Inspectors of Corn Returns for any of the Cities or Towns aforesaid, other than the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, for any Loss of Salary attached to such Offices or Appointments which they may respectively sustain by reason of the Determination of their respective Offices or Appointments by the Provisions of this Act; and such Compensation or Allowance shall be issued and paid to the Party to whom such Compensation shall be made, at such Times and in such Manner as in such Warrant shall be directed, by the Collector or the Chief Officer of the Customs or of the Excise in or for the City or Town for which such Party shall hold the Office of Inspector of Corn Returns at the Time of the passing of this Act: Provided always, that an Account of such Compensations shall, within Fourteen Days next after the same shall have been so granted, be laid before the Commons House of Parliament, if Parliament shall be then assembled, or if Parliament shall then not be assembled, then within Fourteen Days after the meeting of Parliament next following.

Sect. 39. And be it enacted, That if any Person who is hereby required to make and deliver the Declaration or Declarations herein-before particularly mentioned and set forth, or either of them, shall not make and deliver such Declaration or Declarations at the Time and in the Form and Manner and to the Person or Persons herein-before directed and prescribed in that Behalf, every Person so offending shall forfeit and pay a Sum not exceeding Twenty Pounds for each and every Calendar Month during which he shall neglect or delay to make and deliver any such Declaration; and if any Person who is herein-before required to make any Return to the

CORN.

Power to the
Lords of the
Treasury to
grant Com-
pensation to
Inspectors of
Corn Returns.

Penalty on
Corn Dealers
for not making
Declarations or
Returns.

CORN.

Inspector of Corn Returns for the City of *London*, or the City of *Oxford*, or the Town of *Cambridge*, or to any Officer of Excise acting as Inspector as aforesaid, or to any such continuing Inspector of Corn Returns as aforesaid, shall not make such Returns to such Inspector or Officer at the Time and in the Form and Manner herein-before directed and prescribed, every such Offender shall for such his Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Recovery and
Application of
Penalties.

Sect. 40. And be it enacted, That all and every the Penalties aforesaid shall and may be prosecuted, sued for, and recovered, by and to the Use of any Person who will sue for the same, before any Two Justices of the Peace acting in and for the City, Town, County, Riding, or Division within which the Offence shall have been committed; and upon Conviction of any such Offender before any such Justices of the Peace, either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), the Amount of such Penalties and Forfeitures shall be levied, together with the Costs attending the Information and Conviction, to be assessed and allowed by such Justices, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hands and Seals of such Justices (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices of the Peace as aforesaid, and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the City, Town, County, Riding, or Division where the Offender shall be or reside, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines,

and all reasonable Charges attending the same, shall be sooner paid and satisfied.

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Sect. 41. And be it enacted, That if any Person who shall be summoned as a Witness to give Evidence before any Justices of the Peace, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or of the Person or Persons accused, shall, after a reasonable Sum of Money for his or her Charges and Expences shall have been paid or been tendered to him or her, refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for his, her, or their Neglect, or appearing shall refuse to be examined on Oath and give Evidence before such Justices of the Peace, then and in either of such Cases such Person shall forfeit for every such Offence any Sum not exceeding Ten Pounds, to be recovered in the Manner herein-before provided for the Recovery of the several Penalties aforesaid.

Penalty on Witnesses not attending when required.

Sect. 42. And be it enacted, That if any Person shall make any false and fraudulent Statement in any such Return as he is herein-before directed and required to make, or shall falsely and wilfully include, or procure or cause to be included, in any such Return, any *British* Corn which was not truly and *bonâ fide* sold or bought to, by, or on behalf of the Person or Persons in any such Return mentioned in that Behalf, in the Quantity and for the Price therein stated and set forth, every such Offender shall be and be deemed guilty of a Misdemeanor.

Punishment for making false Returns.

Sect. 43. And be it enacted, That nothing in this Act contained shall extend to alter the present Practice of measuring Corn, or any of the Articles aforesaid, to be shipped from or to be landed in the Port of *London*, but that the same shall be measured by the Sworn Meters appointed for that Purpose, by whose Certificate the Searchers or other proper Officers of Her Majesty's Customs are hereby empowered and required to certify the Quantity of Corn or other Articles as aforesaid so shipped or landed; and that nothing in this Act contained shall extend to lessen or take away the Rights and Privileges of or the Tolls or Duties due and payable to the Mayor and Commonalty and Citizens of the City of *London*, or to the Mayor of the said City for the Time being, or to take away the Privileges of any Persons lawfully deriving Title from or under them.

Act not to affect the Practice of measuring or Privileges of the City of London.

Sect. 44. And be it enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing by him, her, or them done by virtue or in pursuance of this Act, such Action or Suit shall be commenced within Three Months next after the Matter or Thing done, and shall

Limitation of Actions.

CORN.

be laid in the proper County; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them against such Plaintiff or Plaintiffs.

Act may be
amended or
repealed.

Sect. 45. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

TABLE OF DUTIES to which this Act refers. (1)

If imported from any FOREIGN COUNTRY:

WHEAT —

— Whenever the average Price of Wheat, made up and published in the Manner required by Law, shall be for every Quarter

- - -	under 51s., the Duty shall be for every	£	s.	d.
Quarter	- - -	1	0	0
- - -	51s. and under 52s.	-	0	19 0
- - -	52s. and under 55s.	-	0	18 0
- - -	55s. and under 56s.	-	0	17 0
- - -	56s. and under 57s.	-	0	16 0
- - -	57s. and under 58s.	-	0	15 0
- - -	58s. and under 59s.	-	0	14 0
- - -	59s. and under 60s.	-	0	13 0
- - -	60s. and under 61s.	-	0	12 0
- - -	61s. and under 62s.	-	0	11 0
- - -	62s. and under 63s.	-	0	10 0
- - -	63s. and under 64s.	-	0	9 0
- - -	64s. and under 65s.	-	0	8 0
- - -	65s. and under 66s.	-	0	7 0
- - -	66s. and under 69s.	-	0	6 0
- - -	69s. and under 70s.	-	0	5 0
- - -	70s. and under 71s.	-	0	4 0
- - -	71s. and under 72s.	-	0	3 0
- - -	72s. and under 73s.	-	0	2 0
- - -	73s. and upwards	-	0	1 0

(1) See § 2.

If imported from any FOREIGN COUNTRY—*continued.*

BARLEY —

Whenever the average Price of Barley, made up and published in the Man- ner required by Law, shall be for every Quarter				£	s.	d.
- - -	under 26s., the Duty shall be for every Quarter	-	-	-	0	11 0
- - -	26s. and under 27s.	-	-	-	0	10 0
- - -	27s. and under 30s.	-	-	-	0	9 0
- - -	30s. and under 31s.	-	-	-	0	8 0
- - -	31s. and under 32s.	-	-	-	0	7 0
- - -	32s. and under 33s.	-	-	-	0	6 0
- - -	33s. and under 34s.	-	-	-	0	5 0
- - -	34s. and under 35s.	-	-	-	0	4 0
- - -	35s. and under 36s.	-	-	-	0	3 0
- - -	36s. and under 37s.	-	-	-	0	2 0
- - -	37s. and upwards	-	-	-	0	1 0

OATS —

Whenever the average Price of Oats, made up and published in the Man- ner required by Law, shall be for every Quarter						
- - -	under 19s., the Duty shall be for every Quarter	-	-	-	0	8 0
- - -	19s. and under 20s.	-	-	-	0	7 0
- - -	20s. and under 23s.	-	-	-	0	6 0
- - -	23s. and under 24s.	-	-	-	0	5 0
- - -	24s. and under 25s.	-	-	-	0	4 0
- - -	25s. and under 26s.	-	-	-	0	3 0
- - -	26s. and under 27s.	-	-	-	0	2 0
- - -	27s. and upwards	-	-	-	0	1 0

RYE, PEASE, AND BEANS—

Whenever the average Price of Rye, or of Pease, or of Beans, made up and published in the Manner required by Law, shall be for every Quarter						
- - -	under 30s., the Duty shall be for every Quarter	-	-	-	0	11 6
- - -	30s. and under 33s.	-	-	-	0	10 6
- - -	33s. and under 34s.	-	-	-	0	9 6
- - -	34s. and under 35s.	-	-	-	0	8 6
- - -	35s. and under 36s.	-	-	-	0	7 6
- - -	36s. and under 37s.	-	-	-	0	6 6
- - -	37s. and under 38s.	-	-	-	0	5 6
- - -	38s. and under 39s.	-	-	-	0	4 6
- - -	39s. and under 40s.	-	-	-	0	3 6
- - -	40s. and under 41s.	-	-	-	0	2 6
- - -	41s. and under 42s.	-	-	-	0	1 6
- - -	42s. and upwards	-	-	-	0	1 0

CORN.

If imported from any FOREIGN COUNTRY—*continued.*

WHEAT MEAL AND FLOUR—

—— For every Barrel, being One hundred and ninety-six Pounds,

A Duty equal in Amount to the Duty payable on Thirty-eight and a Half Gallons of Wheat.

OATMEAL—

—— For every Quantity of One hundred and eighty-one Pounds and a Half,

A Duty equal in Amount to the Duty payable on a Quarter of Oats.

MAIZE OR INDIAN CORN, BUCK WHEAT, BEAR OR BIGG—

—— For every Quarter,

A Duty equal in Amount to the Duty payable on a Quarter of Barley.

If the Produce of and imported from any BRITISH POSSESSION in NORTH AMERICA, or elsewhere out of Europe.

WHEAT—

—— Whenever the average Price of Wheat, made up and published in the Manner required by Law, shall be

	£	s.	d.
--- under 55s. for every Quarter, the } Duty shall be for every Quarter - }	0	5	0
--- 55s. and under 56s. - - -	0	4	0
--- 56s. and under 57s. - - -	0	3	0
--- 57s. and under 58s. - - -	0	2	0
--- 58s. and upwards - - -	0	1	0

BARLEY—

—— Whenever the average Price of Barley, made up and published in the Manner required by Law, shall be

--- under 28s. for every Quarter, the } Duty shall be for every Quarter - }	0	2	6
--- 28s. and under 29s. - - -	0	2	0
--- 29s. and under 30s. - - -	0	1	6
--- 30s. and under 31s. - - -	0	1	0
--- 31s. and upwards - - -	0	0	6

If the Produce of and imported from any BRITISH POSSESSION in NORTH AMERICA, &c.—*continued*.

CORN.

OATS—

— Whenever the average Price of Oats, made up and published in the Manner required by Law, shall be			
--- under 22s. for every Quarter, the } Duty shall be for every Quarter - }	£	s.	d.
---	0	2	0
--- 22s. and under 23s. - - -	0	1	6
--- 23s. and upwards - - -	0	0	6

RYE, PEASE, AND BEANS—

— Whenever the average Price of Rye, or of Pease, or of Beans, made up and published in the Manner required by Law, shall be			
--- under 30s. for every Quarter, the } Duty shall be for every Quarter - }	0	3	0
--- 30s. and under 31s. - - -	0	2	6
--- 31s. and under 32s. - - -	0	2	0
--- 32s. and under 33s. - - -	0	1	6
--- 33s. and under 34s. - - -	0	1	0
--- 34s. and upwards - - -	0	0	6

WHEAT MEAL AND FLOUR—

— For every Barrel, being One hundred and ninety-six Pounds,
A Duty equal in Amount to the Duty payable on Thirty-eight and a Half Gallons of Wheat.

OATMEAL—

— For every Quantity of One hundred and eighty-one Pounds and a Half,
A Duty equal in Amount to the Duty payable on a Quarter of Oats.

MAIZE OR INDIAN CORN, BUCK WHEAT, BEAR OR BIGG—

— For every Quarter,
A Duty equal in Amount to the Duty payable on a Quarter of Barley.

CORN. SCHEDULE of CITIES and TOWNS to which this ACT refers. (1)

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.
CHESHIRE -	Chester. Nantwich. Middlewich. Four Lane Ends. * Congleton. * Macclesfield. * Stockport.	WORCESTER -	Worcester. * Bromsgrove. * Kidderminster. * Stourbridge. * Evesham.
LANCASTER -	Liverpool. Ulverston. Lancaster. Preston. Wigan. Warrington. Manchester. Bolton. * Blackburn. * Bury. * Rochdale.	GLOUCESTER -	Gloucester. Cirencester. Tetbury. Stow-on-the-Wold. Tewkesbury. * Cheltenham. * Dursley. * North Leach. * Stroud.
DERBY -	Derby. * Chesterfield.	SOMERSETSHIRE	Bristol. Taunton. Wells. Bridgewater. Frome. Chard. * Somerton. * Shepton Mallet. * Wellington. * Wiveliscomb.
NOTTINGHAM -	Nottingham. Newark. * Mansfield. * Retford.	MONMOUTHSHIRE	Monmouth. Abergavenny. Chepstow. Pontypool. * Newport.
LEICESTER -	Leicester. * Loughborough. * Hinckley. * Lutterworth.	DEVONSHIRE -	Exeter. Barnstaple. Plymouth. Totnes. Tavistock. Kingsbridge. * Oakhampton. * Tiverton. * Honiton.
NORTHAMPTON -	Northampton. * Peterborough. * Daventry. * Wellingborough. * Kettering.		
WARWICKSHIRE	Coventry. Birmingham. * Warwick. * Stratford-on-Avon.		

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.	CORN.
CORNWALL -	Truro. Bodmin. Launceston. Redruth. Helston. St. Austell. * Falmouth. * Callington. * Liskeard. * St. Columb.	STAFFORDSHIRE	* Stafford. * Burton-on-Trent. * Lichfield. * Newcastle-under-Lyme. * Stone. * Uttoxeter. * Walsall. * Wolverhampton.	
DORSETSHIRE -	Blandford. Bridport. Dorchester. Sherborne. Shaftesbury. Wareham. * Poole.	MIDDLESEX -	London. Uxbridge.	
HAMPSHIRE -	Winchester. Andover. Basingstoke. Fareham. Havant. Newport. Ringwood. Southampton. Portsmouth. * Christchurch.	HERTFORDSHIRE	Hertford. Royston. * Bishop Stortford. * St. Albans. * Hemel Hempstead. * Hitchin.	
RUTLAND -	* Okeham.	SURREY - -	Guildford. * Croydon. * Kingston. * Dorking.	
HEREFORD -	* Leominster. * Hereford. * Kington.	ESSEX - -	Chelmsford. Colchester. Romford. * Chipping Ongar. * Saffron Walden. * Braintree.	
SHROPSHIRE -	* Shrewsbury. * Ludlow. * Newport. * Oswestry. * Wellington. * Wenlock. * Whitechurch. * Market Drayton.	KENT - -	Maidstone. Canterbury. Dartford. * Chatham and Rochester. * Dover. * Gravesend. * Ashford.	
WILTSHIRE -	* Swindon. * Devizes. * Salisbury. * Troubridge. Warminster. * Chippenham.	SUSSEX -	Chichester. Lewes. Rye. * Brighton. * East Grinstead. * Battle. * Arundel. * Hastings. * Midhurst. * Shoreham.	

CORN.	COUNTIES.	TOWNS.	COUNTIES.	TOWNS.
	BEDFORD -	Bedford. * Leighton Buzzard. * Luton.	LINCOLN -	Lincoln. Gainsborough. ¹ Glanford Bridge. Louth. Boston. Sleaford. Stamford. Spalding. * Barton on Humber. * Bourne. * Grantham. * Grimsby. * Horncastle. * Market Raisin. * Caistor. * Alford. * Holbech. * Long Sutton.
	BERKSHIRE -	Windsor. Reading. * Abingdon. * Maidenhead. * Newbury. * Wallingford.		
	BUCKS -	Aylesbury. * Buckingham. * High Wycombe. * Newport Pagnel.		
	OXFORDSHIRE -	Oxford. * Banbury. * Henley. * Witney. * Chipping Norton.		
	HUNTINGDON -	Huntingdon. St. Ives.	YORK -	York. Leeds. Wakefield. Bridlington. Beverley. Hawden. Sheffield. Hull. Whitby. New Malton. * Barnsley. * Bedale. * Bradford. * Doncaster. * Knaresborough. * Pickering. * Richmond. * Ripon. * Selby. * Skipton. * Thirsk. * Rotherham. * Otley. * Thorne.
	CAMBRIDGE -	Cambridge. Ely. Wisbeach. * Newmarket.		
	SUFFOLK -	Ipswich. Woodbridge. Sudbury. Hadleigh. Stowmarket. Beeches. Bungay. Lowestoft. Bury St. Edmund's.		
	NORFOLK -	Norwich. Yarmouth. Lynn. Thetford. Watton. Diss. East Dereham. Harleston. Holt. Aylsham. Fakenham. North Walsham. * Swaffham.	DURHAM -	Durham. Stockton. Darlington. Sunderland. Barnard Castle.

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.	CORN.
NORTHUMBERLAND	Walsingham. Belford. Hexham. Newcastle-upon-Tyne. Morpeth. Alnwick. Berwick.	WALES -	Carmarthen. Carnarvon. Haverfordwest. Cardiff. Denbigh. Wrexham. * Brecon. * Mold. * Bangor. * Cowbridge. * Newtown. * Corwen. * Welshpool. * Llangefni. * Llandillo. * Knighton. * Swansea.	
CUMBERLAND -	Carlisle. Whitehaven. Cockermouth. Penrith. Egremont. * Wigton. * Maryport. * Workington.			
WESTMORELAND -	Appleby. Kendal.			

6^o & 7^o VICT. Cap. 29.

CORN
(DUTY ON
CANADA
WHEAT).

An Act for reducing the Duty on Wheat and Wheat Flour, the Produce of the Province of *Canada*, imported thence into the United Kingdom. [12th July 1843.]

5 & 6 Vict. c. 14.

Duties to be
levied after the
10th October
1843.

WHEREAS on the Twelfth Day of *October* One thousand eight hundred and forty-two an Act was passed by the Legislative Council and Legislative Assembly of the Province of *Canada*, and reserved by the Governor General for the Signification of Her Majesty's Pleasure, imposing a Duty of Three Shillings Sterling Money of *Great Britain* on each Imperial Quarter of Wheat imported into *Canada*, except from the United Kingdom or any of Her Majesty's Possessions, and being the Growth and Produce thereof: And whereas it is recited in the said Act that it was passed in the confident Belief and Expectation that upon the Imposition of a Duty upon Foreign Wheat imported into the Province Her Majesty would be graciously pleased to recommend to Parliament the Removal or Reduction of the Duties on Wheat and Wheat Flour imported into the said United Kingdom from *Canada*: And whereas, in consideration of the Duty so imposed by the said Act of the Legislature of *Canada*, it is expedient that, if Her Majesty shall be pleased to give Her Sanction to the said Act, the Duties imposed by an Act made and passed in the last Session of Parliament, intituled *An Act to amend the Laws for the Importation of Corn*, upon Wheat and Wheat Flour, the Produce of and imported from the Province of *Canada*, entered for Home Consumption in the United Kingdom, should be reduced as herein-after is mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and forty-three, and thenceforth during the Continuance of the Duty so imposed by the said Act of the Legislature of *Canada* as aforesaid, there shall be levied and paid upon all Wheat and Wheat Flour, the Produce of the said Province of *Canada*, which shall be imported thence into the United Kingdom after the said Tenth Day of *October*, and shall be entered for Home Consumption, (the same having been shipped and imported with such Declarations and Certificates as are required in respect thereof in and by the said Act passed in the last Session of Parliament,) in lieu of the Duties charged thereon by the said Act of Parliament, the Duties following; (namely,)

For every Quarter of such Wheat One Shilling, and so in proportion for a less Quantity:

CORN
(DUTY ON
CANADA
WHEAT).

For every Barrel, being One hundred and ninety-six Pounds of such Wheat Flour, a Duty equal in Amount to the Duty which would hereby be payable upon Thirty-eight Gallons and a Half of Wheat, and so in proportion for a less Quantity :

And the said Duties hereby charged shall be levied, collected, paid, and applied in such and the same Manner in all respects as if the same had been imposed by the said Act of Parliament : Provided always, that nothing in this Act contained shall repeal, reduce, or alter the Duties payable under the said Act of Parliament upon Wheat or Wheat Flour, the Produce of *Canada*, which shall be imported into the United Kingdom previous to the said Tenth Day of *October* One thousand eight hundred and forty-three, notwithstanding the same shall not be entered from the Warehouse or otherwise for Home Consumption until after that Day.

Sect. 2. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended.

5^o & 6^o VICT. Cap. 92.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).
—

An Act to permit, until the Thirty-first Day of *August* One thousand eight hundred and forty-five, Wheat to be delivered from the Warehouse or the Vessel Duty-free, upon the previous Substitution of an equivalent Quantity of Flour or Biscuit in the Warehouse.

[10th *August* 1842.]

Warehoused
Wheat to be
delivered Duty-
free upon sub-
stituting an
equivalent
Quantity of
Wheat Flour
or Biscuit.

WHEREAS it will be of advantage to the Trade and Commerce of the Country that Wheat should be permitted to be delivered Duty-free from the Warehouse or from the Vessel, upon the depositing in the Warehouse, or due Exportation therefrom, of an equivalent Quantity of Wheat Flour and Biscuit, in the Manner herein-after mentioned; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the principal Officer of Customs having Charge of any Warehouse, in which any Wheat may have been or may be warehoused without Payment of Duty upon the first Entry thereof under any Law in force, to deliver any Quantity thereof Duty-free, upon there being deposited in Warehouse in lieu thereof fine Wheat Flour or Biscuit, as herein-after mentioned; (that is to say,) upon there being deposited in Warehouse, in lieu of the Wheat so to be delivered,

For every Ninety-six Pounds of Kiln-dried Wheat, or
Forevery One hundred Pounds of Wheat not being Kiln-dried,
—not less than Seventy-eight Pounds of fine Wheat Flour, or
Sixty-eight Pounds of Captain's Biscuit, or
Eighty Pounds of Biscuit of the Standard of the
Biscuit supplied to Her Majesty's Navy, or
One hundred and eighteen Pounds of Common
Ship's Biscuit;

And so in proportion for any less Quantity than—
Ninety-six Pounds of Kiln-dried Wheat, or
One hundred Pounds of Wheat not Kiln-dried;
such Flour or Biscuit having been manufactured in the United Kingdom, or such Flour having been duly imported thereinto and the Duty thereon having been paid.

Fine Wheat
Flour and
Biscuit may be
deposited in
Warehouse, and
a Certificate of

Sect. 2. And be it enacted, That it shall be lawful for the Owner of any such fine Wheat Flour or of any such Biscuit as is herein-before mentioned to deposit any Quantity of such Flour or Biscuit in any Warehouse in which Foreign Flour or Biscuit may be warehoused according to Law; and upon such

Deposit being so made, such Officers of Customs as shall be appointed by the Commissioners of Her Majesty's Customs so to do shall give to the Party making such Deposit a Certificate under their Hands of such Deposit having been made, according to the Form in the Schedule to this Act annexed; and such Certificate shall, during the Period of Six Weeks from the Date thereof, and no longer, entitle the Holder of it to have such Quantity of warehoused Wheat delivered to him Duty-free from any Warehouse as, according to the Scale herein-before set forth, shall be equivalent to the Flour or Biscuit mentioned in such Certificate.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).

such Deposit granted, to entitle the Holder to an equivalent Quantity of Warehoused Wheat Duty-free.

Sect. 3. And be it enacted, That any Person having deposited in any Warehouse, in the Manner required by this Act, any Quantity of fine Wheat Flour or Biscuit shall be entitled to enter Duty-free, from any Vessel, such a Quantity of Wheat as, according to the Scale herein-before set forth, shall be equivalent to the Quantity of Flour or Biscuit so deposited, and that the Holder of any such Certificate as is herein-before mentioned shall also be entitled to enter Duty-free, from any Vessel, any Quantity of Wheat which, according to the said Scale, shall be equivalent to the Quantity of Flour or Biscuit mentioned in the said Certificate.

Persons making Deposits of Flour and Biscuit to be entitled to have equivalent Quantities of Wheat entered Duty-free from the Vessel.

Sect. 4. And be it enacted, That Three Days at least before any Wheat shall be delivered from any Warehouse or Vessel Duty-free under this Act, the Person requiring such Delivery shall give or cause to be given to the Collector of the Port a Notice in Writing specifying the Quantity of the Wheat so required to be delivered, and the Day upon which the Delivery is required to be made, or, in Cases where such Wheat is required under such a Certificate as is herein-before mentioned, shall deliver to the Collector of the Port the Certificate of the previous Deposit of Flour or Biscuit in respect of which such Wheat is to be so delivered, and shall also make due Entry of such Wheat in the Manner required by Law upon the Entry of Goods for Home Consumption.

Notice to be given to the Collector of the Quantity of Wheat required to be delivered from the Warehouse, and of the Day of Delivery.

Sect. 5. And be it enacted, That no Wheat shall be delivered Duty-free under this Act until the Articles herein-before required to be substituted for the same shall have been deposited in the Warehouse, nor until the proper Officer of Customs shall have ascertained that such Articles are of the Quality and Weight herein-before required; nor shall any Wheat be delivered Duty-free under any such Certificate as aforesaid, until the same shall have been delivered to and duly examined by the proper Officer, and found to be correct, nor until such Wheat shall have been weighed and measured at the Expence of the Party requiring the Delivery thereof.

No Wheat to be delivered Duty-free until the substituted Article has been deposited and the Certificate duly examined.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).

Substituted
Flour and
Biscuit to be
subject to the
Warehousing
Laws, but not
to be taken out
for Home
Consumption.

Such Flour and
Biscuit not to
be re-imported.

Penalties for
depositing
Articles of
inferior Quality.

Term of Act.

Act may be
amended, &c.
this Session.

Sect. 6. And be it enacted, That all Flour and Biscuit which, under the Provisions of this Act, shall have been deposited in Warehouse as aforesaid, shall be subject in all respects to the same Rules, Regulations, Penalties, Restrictions, and Forfeitures as warehoused Goods shall for the Time being be subject to under the Laws in force, save and except that such Biscuit shall not be permitted to be taken out of the Warehouse for Home Consumption, and that such Flour, upon Entry thereof from the Warehouse for Home Consumption, shall be liable to such and the same Duties as the same would be liable to if it were the Manufacture of and imported from Foreign Countries.

Sect. 7. And be it enacted, That it shall not be lawful to re-import any such Flour or Biscuit; and any such Flour or Biscuit, if re-imported, shall be forfeited.

Sect. 8. And be it enacted, That if any Parcel or Package tendered to be so deposited as aforesaid, purporting to be or to contain such Flour, shall thereupon or thereafter be found to be or contain Flour other than the best fine Wheat Flour, or any other Article than the best fine Wheat Flour, or if any Parcel or Package tendered to be so deposited as aforesaid, purporting to be or to contain Biscuit of any of the several Qualities herein-before mentioned, shall be found to be or to contain Biscuit of an inferior Quality, or to be or contain any other Article than Ship's Biscuit, every such Parcel or Package and the Contents thereof shall be forfeited, together with the penal Sum of Five Pounds for every Quarter of the Wheat for which the same was intended to be substituted, such Penalty to be paid by the Party tendering the Article to be deposited; and such Forfeitures and Penalties shall be recovered and dealt with in all respects as Forfeitures and Penalties under any Law relating to the Customs are recovered and dealt with. (1)

Sect. 9. And be it enacted, That this Act shall commence and take effect from the passing thereof, and shall continue in force until the Thirty-first Day of *August* One thousand eight hundred and forty-five.

Sect. 10. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in the present Session of Parliament.

(1) See 8 & 9 Vict. § 4. by which this Section is repealed, and § 5. by which other Penalties and Forfeitures are enacted.

SCHEDULE referred to by this Act.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).

CERTIFICATE of DEPOSIT of FINE WHEAT FLOUR or BISCUIT
under Victoria, Cap.

Port of

WE, the undersigned, do hereby certify, That *A.B.*
has this Day deposited in a certain Warehouse situated [*describe
the Situation*] the following Articles [*describe the Qualities and
Weights of the Articles deposited in Words at Length*], and
that the same are of the before-mentioned Qualities and
Weights, according to the true Intent and Meaning of the above-
mentioned Act.

Given under our Hands, this

Day of

A.B.

C.D.

8° & 9° VICT. Cap. 103.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).

An Act to continue until the Thirty-first Day of *August* One thousand eight hundred and forty-eight, and to the End of the next Session of Parliament, and to amend, an Act of the Fifth and Sixth Years of Her present Majesty, for permitting Wheat to be delivered from the Warehouse or the Vessel Duty-free, upon the previous Substitution of an equivalent Quantity of Flour or Biscuit in the Warehouse. [4th *August* 1845.]

5 & 6 Vict. c. 92.

WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to permit, until the Thirty-first Day of August One thousand eight hundred and forty-five, Wheat to be delivered from the Warehouse or the Vessel Duty-free, upon the previous Substitution of an equivalent Quantity of Flour or Biscuit in the Warehouse*: And whereas it is expedient that the said Act should be further continued for the Term hereinafter specified; but it is necessary that the same should be amended in certain respects: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, except so far as the same or any Part thereof is hereby altered or repealed, shall continue in force until the Thirty-first Day of *August* One thousand eight hundred and forty-eight, and from thence until the End of the next Session of Parliament.

Recited Act
(except as
altered or re-
pealed by this
Act) continued
for Three Years.

Same Period
allowed for
entering Wheat
from a Vessel
as from the
Warehouse.

Sect. 2. And whereas it is enacted by the said Act that Persons having deposited in any Warehouse in the Manner required by the said Act any Quantity of fine Wheat Flour or Biscuit, or being Holders of certain Certificates in the said Act mentioned, shall be entitled to enter Duty-free from any Vessel certain Quantities of Wheat (1): And whereas Doubts have arisen as to the Period within which such Entry ought to be made; and it is expedient that such Doubts should be removed, and that the same Period should be allowed for entering Wheat Duty-free from any Vessel as is now allowed for entering Wheat from the Warehouse; be it therefore enacted, That any Person, being entitled under the Provisions of the said Act to enter any Wheat Duty-free from any Vessel, may enter such Wheat Duty-free from such Vessel at any Time or Times, and at such Time or Times only, at which it would be lawful under

(1) See 5 & 6 Vict. c. 92. § 3.

the Provisions of the said Act for such Person to enter such Wheat if the same were in any Warehouse.

CORN
(DELIVERY OF
WAREHOUSED
WHEAT).

Sect. 3. And be it enacted, That the Commissioners of Her Majesty's Customs shall forthwith provide Samples of the several Kinds of Biscuit in the said Act mentioned, and such Samples shall be deemed Standard Samples, for the Purpose of comparing therewith any Biscuit tendered to be deposited as being Captain's Biscuit, or Biscuit of the Standard supplied to Her Majesty's Navy, or common Ship's Biscuit; and the said Commissioners shall from Time to Time renew such Standard Samples as they may deem it expedient.

Commissioners of Customs to provide Standard Samples of Biscuit.

Sect. 4. And be it enacted, That so much of the said Act as relates to the Forfeiture in certain Cases of Parcels or Packages tendered to be deposited under the Provisions thereof, and to the Imposition of Penalties upon Persons tendering the same for the Purpose of being deposited, shall be repealed.

Repeal of certain Penalties imposed by the said Act.

Sect. 5. And be it enacted, That if any Parcel or Package, being or containing any other Article than Flour, or any other Flour than fine Wheat Flour in sound Condition, is tendered to be deposited under the Provisions of the said Act as being or containing Flour, or if any Parcel or Package being or containing any other Article than Biscuit is tendered to be deposited under the Provisions of the said Act as being or containing Biscuit, or if any Parcel or Package being or containing Biscuit of an inferior Quality to the Standard Sample of any One of the several Kinds of Biscuits in the said Act mentioned, or being or containing Biscuit not in sound Condition, is tendered to be deposited under the Provisions of the said Act as being or containing Biscuit of that Kind, such Parcel or Package and the Contents thereof shall be forfeited; and any Person so tendering any such Parcel or Package to be deposited as aforesaid shall forfeit and pay the Sum of Five Pounds for every Hundred Pounds Weight of the Wheat for which such Parcel or Package was tendered to be substituted; and such Forfeitures and Penalties, and any other Forfeitures imposed by the said Act, shall be recovered and dealt with in all respects as Forfeitures and Penalties under any Law relating to the Customs are recovered and dealt with.

Penalties for depositing Articles of inferior Quality.

Sect. 6. And be it enacted, That no Flour deposited in the Warehouse under the Provisions of the said Act shall be entered from the Warehouse for Home Consumption until Four Weeks after the Day on which it was deposited.

Flour not to be taken out of Bond for Four Weeks.

Sect. 7. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Alteration of Act.

6° & 7° VICT. Cap. 79.

FISHERY
CONVENTION.
—

An Act to carry into effect a Convention between Her Majesty and the King of the *French* concerning the Fisheries in the Seas between the *British* Islands and *France*.
[22d August 1843.]

WHEREAS a Convention was concluded between Her Majesty and the King of the *French* on the Second Day of *August* in the Year One thousand eight hundred and thirty-nine defining the Limits of the Oyster Fishery between the Island of *Jersey* and the neighbouring Coast of *France*, and also defining the Limits of the exclusive Right of Fishery on all other Parts of the Coasts of the *British* Islands and *France*: And whereas by the Eleventh Article of the said Convention it is stipulated and agreed, that “With a view to prevent the Collisions which now from Time to Time take place on the Seas lying between the Coasts of *Great Britain* and of *France* between the Trawlers and the Line and long Net Fishers of the Two Countries, the High Contracting Parties agree to appoint, within Two Months after the Exchange of the Ratifications of the present Convention, a Commission, consisting of an equal Number of Individuals of each Nation, who shall prepare a set of Regulations for the Guidance of the Fishermen of the Two Countries in the Seas above mentioned; the Regulations so drawn up shall be submitted by the said Commissioners to the Two Governments respectively for Approval and Confirmation; and the High Contracting Parties engage to propose to the Legislatures of their respective Countries such Measures as may be necessary for the Purpose of carrying into effect the Regulations which may be thus approved and confirmed:” And whereas, pursuant to the said Convention, Commissioners duly appointed and authorized by Her Majesty and His Majesty the King of the *French* respectively have agreed upon certain Articles set forth in the Schedule annexed to this Act for the Guidance of the Fishermen of the Two Countries in the Seas lying between the Coasts of the United Kingdom of *Great Britain* and *Ireland* and those of the Kingdom of *France*, which Articles, in further Fulfilment of the said Convention, have been approved and confirmed on the Part of Her Majesty by One of Her Majesty’s Principal Secretaries of State, and on the Part of His Majesty the King of the *French* by the Ambassador Extraordinary of His said Majesty to the Court of *London*: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of

the same, That the said Articles shall be binding on all Persons, and shall have the Force of Law, as fully as if they were herein severally and specially enacted.

Sect. 2. And whereas by the said Convention and Articles *French* Fishermen are forbidden to fish in the Seas between the *British* Islands and *France* within the Distance of Three Miles from Low-water Mark, as defined in the said Convention and Articles, but are not forbidden to fish anywhere beyond the said Distance of Three Miles: And whereas by an Act passed in the Reign of King *Charles* the Second, intituled *An Act for the Regulation of the Pilchard Fishery in the Counties of Devon and Cornwall*, the taking of Fish in the Manner therein mentioned is forbidden, unless it be at the Distance of One League and a Half at least from the Shores of *Devon* and *Cornwall* respectively; be it enacted, That after the passing of this Act the said Act of the Reign of King *Charles* the Second shall be construed as if instead of the Distance of One League and a Half the Distance specified in the said Convention and Articles had been therein inserted and specified as the Distance within which such taking of Fish as is therein mentioned is forbidden, that is to say, the Distance of Three geographical Miles (of which Sixty make a Degree of Latitude), which Distance shall be reckoned from Low-water Mark, except in Bays, the Mouths of which do not exceed Ten such geographical Miles in Width; and for such Bays shall be reckoned from a straight Line drawn from Low-water Mark off one Headland to Low-water Mark off the other Headland of such Bays respectively.

Sect. 3. And be it enacted, That it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, if and when they shall think fit, to appoint so many Persons as they shall think necessary to ensure the due Execution of the said Convention and Articles, and it shall be lawful for every Person so authorized, at all reasonable Times, upon producing his Authority, if required, to board or enter upon and examine every *British* Vessel, and to examine the Nets, Instruments, and Implements of Fishing thereunto belonging or used therewith; and if any of the said Nets, Instruments, or Implements of Fishing shall be found in contravention of the said Convention and Articles they shall be forfeited to Her Majesty, and the Person in whose Possession the same shall be found shall, on Conviction, be liable to a Penalty of not less than Eight Shillings or more than Three Pounds, or to be imprisoned, with or without hard Labour, for any Time not less than Two Days and not longer than Ten Days, or if convicted more than once of having such unlawful Nets, Instruments, or Implements in his Possession, shall be liable to a Penalty not more than Six Pounds, or to be

FISHERY
CONVENTION.

Confirmation
of Articles.
Amendment of
13 & 14 Car. 2.
c. 28.

For enforcing
Convention and
Articles.

FISHERY
CONVENTION.

imprisoned, with or without hard Labour, for any Time not longer than Twenty Days.

Board of Trade
empowered to
make Bye Laws
for Protection
of Fisheries.

Sect. 4. And be it enacted, That it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, from Time to Time as may become necessary, to make and ordain such Rules and Bye Laws as to them shall seem expedient for the more effectual Performance of the said Convention and Articles, and from Time to Time to annul or alter the same, and substitute others instead thereof; and it shall be lawful for the Lords of the said Committee to impose any Penalty not exceeding Five Pounds in all Cases where any Penalty is not fixed by this Act or by the said Articles for any Breach of the said Rules and Bye Laws, and to direct that all Nets, Instruments, or Implements of Fishing whatsoever used contrary to any of such Rules and Bye Laws shall be forfeited, destroyed, or removed, as the Case may require; provided always, that all such Rules and Bye Laws shall be approved by Her Majesty, with the Advice of Her Privy Council, and all the said Rules and Bye Laws, when so approved and confirmed, and until annulled or altered by the like Authority, shall be binding on all Persons as if the same had been herein enacted.

Publication of
Bye Laws.

Sect. 5. And be it enacted, That the said Rules and Bye Laws, when approved as aforesaid, shall be printed, and a Copy of the same shall be deposited with the Clerk of the Peace for each County adjoining the Seas in which such Rules and Bye Laws are proposed to be enforced, and in the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, and *Man*, and with all the Collectors of the Customs and Coast-guard Officers at the different Stations, and in such and so many Places as to the Lords of the said Committee shall seem fit; and printed Copies of the said Rules and Bye Laws shall be provided by the Lords of the said Committee, and sold at a Price not exceeding One Shilling for each Copy; and Notice, both of the Publication of the same, and the Place or Places where the same may be bought, shall be given for Three Calendar Months subsequent to the Publication thereof in such of the Metropolitan and Provincial Newspapers as the Lords of the said Committee shall appoint; and for the Purpose of convicting any Person offending against the said Rules and Bye Laws, a printed Copy of such Rules and Bye Laws obtained from the Office of any Clerk of the Peace with whom the same may be lodged, and certified by him to be a true Copy thereof, shall be taken as Evidence of such Rules and Bye Laws, and the due Publication thereof.

Articles may
be suspended in

Sect. 6. And whereas an Act was passed in the last Session of Parliament, intituled *An Act to regulate the Irish Fisheries*,

and it is not expedient to interfere with the Provisions of the said Act further than is necessary for giving full Effect to the said Convention and Articles; be it enacted, That it shall be lawful for the Lords of the said Committee, by a Rule or Rules to be made by them from Time to Time, and approved of by Her Majesty with the Advice of Her Privy Council, to suspend the Operation of the said Articles and of this Act, or such Part of them as to them shall seem fit, with respect to the Fisheries on the Coast of *Ireland*, or on any Part thereof, so long as such Fisheries shall be carried on exclusively by the Subjects of Her Majesty, and also, with the like Approval, to make such Bye Laws as to them shall seem fit for enforcing the said Articles and this Act on the said Coast of *Ireland*, or on any Part thereof, as soon as the same shall be frequented for the Purpose of Fishery by *French* Fishermen.

FISHERY CONVENTION.

Ireland while there is no Mixed Fishery there.
5 & 6 Vict. c. 106.

Sect. 7. And be it enacted, That all Rules and Bye Laws made by the Lords of the said Committee in pursuance of this Act shall be laid before Parliament within Six Weeks next after the Approval thereof by Her Majesty, if Parliament be then sitting, or if not, then within Six Weeks next after the next Meeting of Parliament.

Rules and Bye Laws to be laid before Parliament.

Sect. 8. And be it enacted, That so much of the last-recited Act as provides that the Commissioners of Public Works in *Ireland* shall divide the Coast of *Ireland* into Districts, for the Purpose of keeping a Registry of all Vessels engaged in Fishing on the said Coast, shall be repealed; and that the several Collectorships of Customs on the Coast of *Ireland* shall be substituted for the Districts established under the Authority of the said Act; and that the Numbers, Marks, and Letters by which all *British* Vessels engaged in Fishing between the Coasts of the United Kingdom and *France* shall be distinguished shall be in conformity with the said Convention and Articles; and the Registry of all such Vessels shall be kept under the Superintendence of the Commissioners of Her Majesty's Customs, and in conformity with the said Convention and Articles.

Repeal of Part of 5 & 6 Vict. c. 106.

Sect. 9. And be it enacted, That it shall be lawful for such Officers and Petty Officers belonging to Her Majesty's Navy or Revenue Service, and for such Officers and Men of the Coast-guard Stations as shall be thereunto authorized by the Commissioners of Her Majesty's Customs, and such Persons as shall be appointed as aforesaid by the Lords of the said Committee, subject to such Directions as the Lords of the said Committee shall from Time to Time think fit to prescribe, to go on board any *British* Vessel employed in Fishing, and examine the Certificate of Registry, and Nets, Instruments, and Implements of Fishing belonging to or used with such Vessel, and whether the Regulations of this Act have been complied with, and whether the Master or other Persons on board such Vessel

Officers and Men of Her Majesty's Cruisers, and Officers and Men of Revenue and Coastguard Service, empowered to enforce the Provisions of this Act.

**FISHERY
CONVENTION.**

are carrying on the said Fishery in the Manner hereby required, and to seize any Nets, Instruments, or Implements of Fishing which are illegal or used contrary to the Provisions of this Act, or any of the Rules or Bye Laws made by the Lords of the said Committee; and it shall be lawful for the Officers and Men employed in Her Majesty's Navy or Revenue Service, and in the Coast-guard Service, and such other Persons as shall be appointed for that Purpose by the Lords of the said Committee, to execute for the Purposes of this Act, on Sea or on Land, the Warrants of any Justice or Justices of the Peace as fully as any Person authorized to execute Warrants of any Justice of the Peace may now execute the same on Land within their respective Districts, and also to do all such other Acts on Sea or Land, in relation to the Preservation of the Peace among Persons engaged in Fishing, and the Enforcement of the Provisions of this Act, as any Constable may lawfully do within the Limits of his Jurisdiction.

Penalty for
obstructing
Persons on
Duty.

Sect. 10. And be it enacted, That every Person assaulting, resisting, or wilfully obstructing any other Person, duly authorized under the Provisions of this Act to enforce the Execution of the said Articles, in the Performance of his Duty, on Conviction before any Magistrate or Justice of the Peace by the Oath of any credible Witness, or upon his own Confession, shall be liable to a Penalty not more than Five Pounds, or may be imprisoned, with or without hard Labour, for any Time not longer than Twenty-one Days.

Who shall have
cognizance of
Offences by
British Sub-
jects.

Sect. 11. And be it enacted, That all Offences against the said Articles, or against any Rule or Bye Law made in pursuance of this Act, committed by any of Her Majesty's Subjects may be heard and determined upon the Oath of any credible Witness or Witnesses, or upon the Confession of the Party accused, by any Magistrate or Justice of the Peace having Jurisdiction in the County or Place in which or in the Waters adjacent to which the Offence shall be committed or to which the Offender shall be brought; and every such Magistrate or Justice of the Peace shall have Power to award the Penalties provided by the said Articles, or by any such Rule or Bye Law respectively, for the Offence of which the Offender shall be convicted; and whenever any pecuniary Penalty and Forfeiture shall be imposed on any such Offender, and shall not be forthwith paid, with the reasonable Costs and Charges attending the Conviction, the same shall be levied by Distress and Sale of the Goods of the Offender by Warrant under the Hand and Seal of such Magistrate or Justice of the Peace.

Who shall have
cognizance of
Offences by
French Sub-
jects within the

Sect. 12. And be it enacted, That all Offences against the said Articles, or against any Rule or Bye Law made in pursuance of this Act, committed by any Subject of the King of the *French*, or any Person serving on board any *French* Fishing

Boat or Vessel, within the Limits within which the general Right of Fishery is by the said Articles exclusively reserved to the Subjects of Her Majesty, may be heard and determined upon the Oath of any credible Witness or Witnesses, or upon the Confession of the Party accused, by any Magistrate or Justice of the Peace having Jurisdiction in the County or Place in which or in the Waters adjacent to which the Offence shall have been committed or to which the Offender shall be brought; and the Offender, upon Conviction, shall pay such Penalty not exceeding Ten Pounds as the Magistrate or Justice of the Peace shall award, or instead of awarding a pecuniary Penalty, and also in case of the Nonpayment of any pecuniary Penalty awarded, it shall be lawful for the Magistrate or Justice of the Peace to order that the Vessel to which the Offender belongs shall be detained for any Period not exceeding Three Calendar Months.

FISHERY
CONVENTION.

British Fishery
Limits.

Sect. 13. And be it enacted, That whenever any Subject of the King of the *French*, or any Person serving on board any *French* Fishing Boat or Vessel, charged with any Transgression against the said Convention and Articles, shall be brought into any *British* Port, pursuant to the Sixty-fifth Article, in order that the Offence may be duly established, it shall be lawful for the Person by whom such supposed Offender shall be so brought, or for any Person acting under his Authority, to take such supposed Offender forthwith before a Magistrate or Justice of the Peace, and all Constables and Peace Officers and others shall be required, if necessary, to give their Assistance for that Purpose; and it shall be lawful for the Magistrate or Justice of the Peace before whom any such supposed Offender shall be brought to inquire by all lawful Ways and Means into the Case; and a Copy of the Depositions, Minutes of Proceedings, and all other Documents concerning the Transgression shall be authenticated under the Hand of the Collector of Customs, and shall be sent by him to the *British* Consular Agent residing in the Port to which the Offender's Boat or Vessel belongs.

Proceedings in
case of Offences
by French
Subjects beyond
the British
Fishery Limits.

Sect. 14. And be it enacted, That in all Cases where the Breach of any of the said Articles, or of any such Rules or Bye Laws, by any of the Subjects of the King of the *French* within the Limits within which the general Right of Fishery is by the said Articles exclusively reserved to the Subjects of Her Majesty, or by any of Her Majesty's Subjects, whether or not within the said Limits, shall have caused any Loss or Damage to any other Party or Parties, it shall be lawful for any Magistrate or Justice of the Peace before whom the Offence shall be inquired into to take Evidence of such Loss or Damage, and to award Compensation to the injured Party, and to enforce Payment of such Compensation, in like Manner as the Payment of

Compensation
for Damage.

FISHERY
CONVENTION.

any pecuniary Penalty for any Offence against the said Articles may be enforced.

Salvage for
Boats, &c.
picked up at
Sea.

Sect. 15. And be it enacted, That whenever any Fishing Boat, Rigging, Gear, or any other Appurtenance of any Fishing Boat, or any Net, Buoy, Float, or other Fishing Implement, shall have been found or picked up at Sea and brought into a *British* Port, and shall not be forthwith delivered to the Collector of Customs, pursuant to the Sixty-first Article, it shall be lawful for any Magistrate or Justice of the Peace, on Application of the said Collector, to issue his Warrant for delivering of the said Articles to such Collector, who shall take Possession of the same, and deliver the same to the Owner thereof or his Representative, on Payment to him, for behoof of the Salvors, of such Compensation as the said Collector shall award pursuant to the Sixty-second Article.

Conviction not
to be quashed
for Want of
Form.

Sect. 16. And be it enacted, That no Conviction under this Act shall be quashed, set aside, or adjudged void or insufficient for Want of Form only, or liable to be removed, by Certiorari or otherwise, into Her Majesty's Court of Queen's Bench, or any other of Her Majesty's Courts of Record, but every such Conviction shall be final to all Intents and Purposes unless the same shall be reversed on Appeal as herein-after provided; provided always, that no Person shall be convicted of any Offence committed against the Provisions of this Act unless the Prosecution for the same shall be commenced within Three Calendar Months from the Time of the Commission of such Offence.

Appeal.

Sect. 17. And be it enacted, That, in any Case of a summary Conviction before any Magistrate or Justice of the Peace, any Person who shall think himself aggrieved by the Conviction may appeal to the Court of General or Quarter Sessions of the Peace to be next holden for the County or Place wherein the Cause of Complaint shall have arisen, if such Court shall not be holden within Twenty-one Days next after such Conviction, otherwise to the next Court but One, provided that such Person at the Time of the Conviction, or within Forty-eight Hours thereafter, shall enter into a Recognizance, with Two sufficient Securities conditioned personally to appear at the said Session to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justice of the Peace by whom such Conviction shall have been made to bind over the Witnesses who shall have been examined in sufficient Recognizances to attend and be examined at the Hearing of such Appeal, and that every such Witness on producing a Certificate

of his being so bound, under the Hand of the said Magistrate or Justice of the Peace, shall be allowed Compensation for his Time, Trouble, and Expences in attending the Appeal, which Compensation shall be paid, in the first instance, by the Treasurer of the County or Borough, in like Manner as in Cases of Misdemeanor, under the Provisions of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in England*; and in case the Appeal shall be dismissed, and the Conviction affirmed, the reasonable Expences of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the Treasurer of the County or Borough by the Appellant.

Sect. 18. And be it enacted, That in this Act the Words "*British Vessel*" shall be construed to mean every *British* or *Irish* Fishing Vessel or Fishing Boat, and also every Fishing Vessel or Fishing Boat belonging to any of the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, or *Man*, or any Island thereunto belonging, and the Words "*British Port*" shall be construed to mean any Port of *Great Britain* or *Ireland*, or of any of the said Islands.

Meaning of
"British
Vessel," &c.

Sect. 19. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be
amended this
Session.

SCHEDULE to which the foregoing Act refers. (1)

REGULATIONS for the Guidance of the Fishermen of Great Britain and of France in the Seas lying between the Coasts of the Two Countries; prepared in pursuance of the Provisions of the Eleventh Article of the Convention concluded at Paris on the 2d of August 1839 between Her Majesty and the King of the French.

DECLARATION.

The undersigned, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs on the one Part, and the Ambassador Extraordinary of His Majesty the King of the French at the Court of London on the other Part, having examined the annexed Regulations for the Guidance of the Fishermen of Great Britain and of France in the Seas lying between the Coasts of the Two Countries, which Regulations have been prepared, in pursuance of the Provisions of the Eleventh Article of the Convention concluded at Paris on the

(1) See § 1.

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2d of August 1839 between Her Britannic Majesty and His Majesty the King of the French, by the Two Commissioners duly authorized to that Effect by their said Majesties, have, in the Name and on the Behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of the French, and by virtue of their respective full Powers, approved and confirmed, and do by these Presents approve and confirm, the said Regulations; reserving to their respective Governments, conformably to the Terms of the above-mentioned Article, to propose, if necessary, to the Legislatures of both Countries the Measures which may be required for carrying the said Regulations into execution.

In witness whereof the undersigned have signed the present Declaration, and have affixed thereto the Seals of their Arms.

Done at London, the Twenty-third Day of June in the Year of our Lord One thousand eight hundred and forty-three.

(L.S.)	ABERDEEN.
(L.S.)	STE. AULAIRE.

The undersigned, namely, —

On the Part of the United Kingdom of Great Britain and Ireland, Anthony Perrier, Esquire, Her Britannic Majesty's Consul for the Departments of Finistère, Morbihan, and Côtes du Nord in France;

And on the Part of the Kingdom of France, François Lange, Knight of the Royal Order of the Legion of Honour and Commissary of Marine of the First Class;

Duly appointed and authorized by their respective Governments to act as Commissioners for the Purpose of preparing a Set of Regulations for the Guidance of the Fishermen of the Two Countries in the Seas lying between the Coasts of the United Kingdom and those of the Kingdom of France, in conformity with Article XI. of the Convention between Great Britain and France, signed at Paris on the 2d August 1839:

Have agreed upon the following Articles, which they submit to their respective Governments for Approval and Confirmation:

ARTICLE I.—British and French Subjects fishing in the Seas lying between the Coasts of the United Kingdom of Great Britain and Ireland and those of the Kingdom of France shall conform to the following Regulations.

ARTICLE II.—The Limits within which the general Right of Fishery is exclusively reserved to the Subjects of the Two Kingdoms respectively are fixed (with the Exception of those in Granville Bay) at Three Miles Distance from Low-water Mark.

With respect to Bays, the Mouths of which do not exceed Ten Miles in Width, the Three Mile Distance is

measured from a straight Line drawn from Headland to Headland.

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ARTICLE III.—The Miles mentioned in the present Regulations are geographical Miles, of which Sixty make a Degree of Latitude.

ARTICLE IV.—The Fishery Limits of Granville Bay, established upon special Principles, are defined in the First Article of the Convention of the Second of August One thousand eight hundred and thirty-nine, as follow :

The Lines drawn between the Points designated by the Letters A., B., C., D., E., F., G., H., I., K. on the Chart annexed to the Convention are acknowledged as defining the Limits between which and the French Shore the Oyster Fishery shall be reserved exclusively to French Subjects ; and these Lines are as follow ; that is to say :—

The First Line runs from the Point A., Three Miles from Low-water Mark (Point Meinga bearing South), to the Point B., of which the Land-marks are Agon Tower on with the Clump of Trees upon Mount Huchon, and the Summit of Gros Mont in a Line with the Signal Post on Grand Isle.

The Second Line runs from the said Point B., towards Agon Tower and the Clump of Trees upon Mount Huchon in the Direction North, Sixty-four Degrees East, until at the Point C. it brings the Windmill of Lingreville to bear due East.

The Third Line runs from Point C. due East towards Lingreville Windmill until the Grand Huguenant is brought to bear on the Etat Rock at Point D.

The Fourth Line runs from Point D. Northward, and keeping the Grand Huguenant in one with the Etat Rock, until it intersects at E. a Line whose Land-marks are Agon Tower on with Coustances Cathedral.

The Fifth Line runs Eastward from Point E. to Point F., where the Steeple of Pirou is brought to bear in a Line with the Senequet Rock.

The Sixth Line runs from Point F., due North, to Point G., where the Steeple of Blainville is brought in a Line with the Senequet Rock.

The Seventh Line runs from Point G. (in the Direction of Pirou Steeple) to Point H., where the Lighthouse on Cape Carteret bears North, Twenty-four Degrees West.

The Eighth Line runs from Point H. to Point I. nearly abreast of Port Bail ; Point I. having for Land-marks the Fort of Port Bail in a Line with the Steeple of Port Bail.

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And finally, the Ninth Line runs from Point I. to the Three Grunes at Point K., where Cape Carteret bears East, Ten Degrees North, in a Line with Barneville Church.

All the Bearings specified in the present Article are to be taken according to the true Meridian, and not according to the Magnetic Meridian.

ARTICLE V.—It is forbidden to British Fishermen to set their Nets or to fish in any Manner whatsoever within the French Limits; and it is equally forbidden to French Fishermen to set their Nets or to fish in any Manner whatsoever within the British Limits.

ARTICLE VI.—All British and French Fishing Boats shall be numbered.

There shall be a Series of Numbers for the Fishing Boats belonging to each Collectorship of Customs in the United Kingdom, and a Series of Numbers for the Fishing Boats belonging to each District of Maritime Registry in France; and to these Numbers shall be prefixed the initial Letters of the Names of the respective Collectorships or Districts.

ARTICLE VII.—Whereas there are in the United Kingdom several Collectorships of Customs, and in France several Districts of Maritime Registry, the Names of which begin with the same Letter, in which Case the initial Letter alone would not suffice; the distinguishing Letter or Letters for the Boats of each Collectorship or District shall be designated by the Board of Customs in the United Kingdom, and by the Ministry of Marine in France.

ARTICLE VIII.—The Letters and Numbers shall be placed on each Bow of the Boat, Three or Four Inches (Eight or Ten Centimètres French) below the Gunnel, and they shall be painted in White Oil Colour on a Black Ground.

For Boats of Fifteen Tons Burthen and upwards, the Dimensions of these Letters and Numbers shall be Eighteen Inches (Forty-five Centimètres French) in Height, and Two and a Half Inches (Six Centimètres French) in Breadth.

For Boats of less than Fifteen Tons Burthen, the Dimensions shall be Ten Inches (Twenty-five Centimètres French) in Height, and One and Three Quarter Inch (Four Centimètres French) in Breadth.

The same Letters and Numbers shall also be painted on each Side of the Main Sail of the Boat in Black Oil Colour on White Sails, and in White Oil Colour on Tanned or Black Sails.

These Letters and Numbers on the Sails shall be One Third larger in every Way than those placed on the Bows of the Boat.

ARTICLE IX.—In order that the Fishing Boats of Jersey, Guernsey, and other Islands of the same Cluster may be distinguished from the Fishing Boats of the other British Islands, their Numbers shall precede the initial Letter of the Name of the Island to which such Boats may belong.

Each of these Islands shall have a separate series of Numbers.

ARTICLE X.—All the Buoys, Barrels, and principal Floats of each Net, and all other Implements of Fishery, shall be marked with the same Letters and Numbers as those of the Boats to which they belong.

These Letters and Numbers shall be large enough to be easily distinguished. The Owners of Nets or other Fishing Implements may further distinguish them by any private Marks they judge proper.

ARTICLE XI.—The Letters and Numbers of British Fishing Boats shall be inserted on the Licences of those Boats, after having been entered in the Registry Book kept at the Collectorship of Customs.

The Letters and Numbers of French Fishing Boats shall be inserted on the Muster Rolls of those Boats, after being entered in the Registry Book kept at the Maritime Registry Office.

ARTICLE XII.—The Licences of British Fishing Boats and the Muster Rolls of French Fishing Boats shall contain the Description and Tonnage of each Boat, as well as the Names of its Owner and of its Master.

ARTICLE XIII.—The Fishermen of both Countries shall, when required, exhibit their Licences or Muster Rolls to the Commanders of the Fishing Cruisers, and to all other Persons of either Country, appointed to superintend the Fisheries.

ARTICLE XIV.—The Name of each Fishing Boat, and that of the Port to which she belongs, shall be painted in White Oil Colour on a Black Ground on the Stern of the said Boat, in Letters which shall be at least Three Inches (Eight Centimètres French) in Height, and Half an Inch (Twelve Millimètres French) in Breadth.

ARTICLE XV.—It is forbidden to efface, cover, or conceal, in any Manner whatsoever, the Letters, Numbers, and Names placed on the Boats and on their Sails.

ARTICLE XVI.—Trawl Fishing may be carried on during all Seasons in the Seas lying between the Fishery Limits which have been fixed for the Two Countries.

ARTICLE XVII.—Trawls shall be made with Nets, the Meshes of which shall be at least One Inch and Three Quarters

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(Forty-five Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XVIII.—The Length of the Wooden Yard or Beam to which the upper Part of the Mouth of each Trawl-net shall be fastened shall not exceed Thirty-eight Feet (Eleven Mètres Five Hundred Millimètres French).

ARTICLE XIX.—The under Part of the Trawl-net, to a Length of Ten Feet (Three Mètres French) from its Extremity, may be strengthened by Rubbing Pieces made of old Nets; but these Rubbing Pieces shall be so fastened that they shall not cross or narrow the Meshes of the Trawl-net, which must always remain at least One Inch and Three Quarters (Forty-five Millimètres French) from Knot to Knot, along the Line, open and unobstructed.

ARTICLE XX.—The Size of the Meshes of any supplementary Nets which may be added to Trawls shall be at least Two Inches (Fifty Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXI.—Such supplementary Nets shall be so fitted as not to cross or narrow the Meshes of the Trawl-net, which must always remain at least One Inch and Three Quarters (Forty-five Millimètres French) from Knot to Knot, along the Line, open and unobstructed.

ARTICLE XXII.—The total Weight of the Two Irons or Head-pieces of a Trawl shall not exceed Two hundred and eighty-seven Pounds (One hundred and thirty Kilogrammes French).

ARTICLE XXIII.—The total Weight of Iron Chains or Leads used for loading the Ground Rope of a Trawl shall not exceed One hundred and ten Pounds (Fifty Kilogrammes French).

ARTICLE XXIV.—Trawl Fishing is forbidden in all Places where there are Boats engaged in Herring or Mackerel Drift-net Fishing.

ARTICLE XXV.—Trawl Boats shall always keep at a Distance of at least Three Miles from all Boats fishing for Herrings or Mackerel with Drift-nets.

ARTICLE XXVI.—Whenever Herring or Mackerel Boats shall commence Drift-net Fishing in any Place whatever, the Trawl Boats which may be already fishing in such Place shall depart therefrom, and shall keep at a Distance of at least Three Miles from the said Drift-net Herring or Mackerel Boats.

ARTICLE XXVII.—Herring Fishing is free all the Year round.

ARTICLE XXVIII.—The Meshes of all Nets used for Herring Fishing shall not be less than One Inch (Twenty five Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXIX.—Whenever decked Herring Boats and undecked Herring Boats shall commence shooting their Nets at the same Time, the undecked Boats shall shoot their Nets to Windward of the decked Boats, except they should prefer going to Leeward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXX.—The decked Boats on their Part shall shoot their Nets to Leeward of the undecked Boats, unless they prefer going to Windward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXXI.—When decked Boats shall arrive on Grounds where fishing is already begun by other Boats, amongst which shall be undecked Boats, the decked Boats so arriving shall shoot their Nets to Leeward of the undecked Boats, except they should prefer going to Windward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXXII.—When undecked Boats shall arrive on Grounds where fishing is already begun by other Boats, amongst which shall be decked Boats, the undecked Boats so arriving shall shoot their Nets to Windward of the decked Boats, except they prefer going to Leeward, to a Distance of at least Half a Mile to shoot their Nets.

ARTICLE XXXIII.—If, however, it should happen that the Spot where fishing is going on, and consequently where the Herrings are, should be so near to the Fishery Limits of One of the Two Countries that the Boats of the other Country would, by observing the above-mentioned Regulations, be prevented from taking Part in the Fishery, the said Boats of the other Country shall be at liberty to shoot their Nets at a less Distance than that prescribed in the preceding Articles for decked and undecked Boats; but such Fishermen as may take Advantage of this Permission shall be responsible for any Damage or Losses which their drifting may cause to the other Boats.

ARTICLE XXXIV.—Fishermen of the one Country shall not avail themselves of the Circumstances mentioned in the preceding Article, nor of any other Circumstances whatsoever, to shoot their Nets within the Fishery Limits of the other Country.

ARTICLE XXXV.—Whenever set Nets are employed for the Purpose of taking Herrings, the Boats engaged in this Fishery shall always remain over their Nets.

These Boats shall moreover be bound to observe the Prohibition contained in Article LVII. in favour of Drift-net Fishing.

ARTICLE XXXVI.—Mackerel Fishing is free all the Year round.

ARTICLE XXXVII.—The Meshes of all Nets used for Mackerel Fishing shall not be less than One Inch and One Sixth (Thirty Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXXVIII.—It is forbidden to all Fishermen to load the lower Parts of Mackerel Drift-nets with Leads or Stones.

ARTICLE XXXIX.—Boats going to fish for Mackerel with Drift-nets are required, when they shall arrive on the Fishing Ground, to lower all Sails, to show that they have taken their Berths.

ARTICLE XL.—The Boats mentioned in the preceding Article shall keep Three Quarters of a Mile at least apart from one another when they shoot their Nets.

ARTICLE XLI.—The Meshes of Nets known by the Name of Bratt Nets shall not be less than Four Inches and One Third (Eleven Centimètres French) square, from Knot to Knot, along the Line.

ARTICLE XLII.—The Meshes of the middle Nets of Trammels shall be at least Two Inches (Five Centimètres French) square, from Knot to Knot, along the Line.

The Meshes of both of the outer Nets of Trammels shall be at least Six Inches (Fifteen Centimètres French) square, from Knot to Knot, along the Line.

ARTICLE XLIII.—Fishermen using Bratt Nets, Trammels, and other set or anchored Nets shall place Buoys on such Nets, in order that Vessels sailing in those Places may avoid them.

ARTICLE XLIV.—Such Bratt Netts, Trammels, or other set or anchored Nets shall not, except in unavoidable Cases, remain more than Twenty-four Hours in the Sea without being taken up.

ARTICLE XLV.—Oyster Fishing shall open on the First of September, and shall close on the Thirtieth of April.

ARTICLE XLVI.—From the First of May to the Thirty-first of August no Boat shall have on board any Dredge or other Implement whatsoever for catching Oysters.

ARTICLE XLVII.—It is forbidden to dredge for Oysters between Sunset and Sunrise.

ARTICLE XLVIII.—The Fishermen shall cull the Oysters on the Fishing Ground, and shall immediately throw back into the Sea all Oysters less than Two and a Half Inches (Six Centimètres French) in the greatest Diameter of the Shell, and also all Sand, Gravel, and Fragments of Shells.

ARTICLE XLIX.—It is forbidden to throw into the Sea on Oyster Fishing Grounds the Ballast of Boats, or any other Thing whatsoever which might be detrimental to the Oyster Fishery.

ARTICLE L.—For the Purpose of distinguishing by Day Drift-net Fishing Boats from Trawl Boats, both shall carry at the Mast-head Vanes, which shall be at least Eight Inches (Twenty Centimètres French) in Height, and Two Feet (Sixty-one Centimètres) in Length.

The Colours of these Vanes shall be, for—

British Trawl Boats, Red.

French Trawl Boats, Blue.

British Drift Boats, White and Red.

French Drift Boats, White and Blue.

It is understood that the Vanes of Drift Boats shall be divided vertically into Two equal Parts, of which the White shall be nearest to the Mast.

ARTICLE LI.—It is forbidden to all other Fishing Boats to carry Vanes similar to those mentioned in the preceding Article.

ARTICLE LII.—It is forbidden to all Boats to anchor between Sunset and Sunrise on Grounds where Herring or Mackerel Drift-net Fishing is going on.

This Prohibition does not apply to Anchorages which may take place in consequence of Accidents or any other compulsory Circumstances, but in such Case the Master of the Boat thus obliged to anchor shall hoist, so that they shall be seen from a Distance, Two Lights placed horizontally about Three Feet (One Mètre French) apart, and shall keep these Lights up all the Time the Boat shall remain at anchor.

ARTICLE LIII.—In order that Boats fishing with Drift Nets may be easily recognized at Night, the Masters of these Boats shall hoist on one of their Masts Two Lights, one over the other, Three Feet (One Mètre French) apart.

These Lights shall be kept up during all the Time their Nets shall be in the Sea between Sunset and Sunrise.

ARTICLE LIV.—All Fishermen are forbidden, except in Cases of absolute Necessity, to show Lights under any other Circumstances than those mentioned in the present Regulations.

ARTICLE LV.—The Meshes of the various Nets before mentioned shall be of the prescribed Dimensions, measured when the Net is wet.

ARTICLE LVI.—It is forbidden to use Nets for any other Kind of Fishing than that for which each of those Nets may be lawfully employed, with respect to the Size of its Meshes, or of its Fittings.

ARTICLE LVII.—It is forbidden to set or anchor Nets, or any other Fishing Implement, in any Place where Herring or Mackerel Drift-net Fishing is going on.

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ARTICLE LVIII.—No Boat shall be made fast or held on to the Nets, Buoys, Floats, or to any Part of the Fishing Tackle, belonging to another Boat.

ARTICLE LIX.—It is forbidden to all Persons to hook or lift up the Nets, Lines, or other Fishing Implements belonging to others, under any Pretence whatsoever.

ARTICLE LX.—When Nets of different Boats get foul of each other, the Masters of the said Boats shall not cut them, except by mutual Consent, unless it shall have been found impossible to clear them by other Means.

ARTICLE LXI.—All Fishing Boats, all Rigging, Gear, or other Appurtenances of Fishing Boats, all Nets, Buoys, Floats, or other Fishing Implements whatsoever, found or picked up at Sea, shall, as soon as possible, be delivered to the Collector of Customs, if the Article saved be taken into England, and to the Commissary of Marine, if the Article saved is taken into France.

ARTICLE LXII.—The Collector of Customs, or the Commissary of Marine, as the Case may be, shall restore the Articles saved to the Owners thereof, or to their Representatives.

These Functionaries may, when the Circumstances are such as to call for it, award to the Salvors a suitable Compensation for their Trouble and Care. This Compensation, which shall in no Case exceed One Fourth of the actual Value of the Articles saved, shall be paid by the Owners.

ARTICLE LXIII.—The Execution of the Regulations concerning the Fittings of Nets and the Size of their Meshes, the Weight and Dimensions of Fishing Instruments, and, in short, concerning every thing connected with the Implements of Fishing, is placed, with respect to the Fishermen of each of the Two Nations, under the exclusive Superintendence of the Cruisers and Agents of their own Nation.

Nevertheless, the Commanders of the Cruisers of each Nation shall mutually acquaint the Commanders of the other Nation with any Transgressions of the above-mentioned Regulations, committed by the Fishermen of the other Nation, which may come to their Knowledge.

ARTICLE LXIV.—Infractions of Regulations concerning the placing of Boats, the Distances to be observed, the Prohibition of certain Fisheries by Day or by Night, or during certain Periods of the Year, and concerning every other Operation connected with the Act of Fishing, and more particularly as to Circumstances likely to cause Damage, shall be taken cognizance of by the Cruisers of both Nations, whichever may be the Nation to which the Fishermen guilty of such Infractions may belong.

ARTICLE LXV.—The Commanders of Cruisers of both Countries shall exercise their Judgment as to the Causes of any Transgressions committed by British or French Fishing Boats in the Seas where the said Boats have the Right to fish in common; and when the said Commanders shall be satisfied of the Fact of the Transgression, they shall detain the Boats having thus infringed the established Regulations, and may take them into the Port nearest to the Scene of the Occurrence, in order that the Offence may be duly established, as well by comparing the Declarations and counter Declarations of Parties interested, as by the Testimony of those who may have witnessed the Facts.

ARTICLE LXVI.—When the Offence shall not be such as to require exemplary Punishment, but shall, nevertheless, have caused Injury to any Fisherman, the Commanders of Cruisers shall be at liberty, should the Circumstances admit of it, to arbitrate at Sea between the Parties concerned, and on Refusal of the Offenders to defer to their Arbitration, the said Commanders shall take both them and their Boats into the nearest Port, to be dealt with as stated in the preceding Article.

ARTICLE LXVII.—Every Fishing Boat which shall have been taken into a Foreign Port, under either of the Two preceding Articles, shall be sent back to her own Country for Trial as soon as the Transgression for which she may have been detained shall have been duly established. Neither the Boat nor her Crew shall, however, be detained in the Foreign Port more than Four Days.

ARTICLE LXVIII.—The Depositions, Minutes of Proceedings, and all other Documents concerning the Transgression, after being authenticated by the Collector of Customs, or by the Commissary of Marine, according to the Country into which the Boat may have been taken, shall be transmitted by that Functionary to the Consular Agent of his Nation residing in the Port where the Trial is to take place.

This Consular Agent shall communicate these Documents to the Collector of Customs, if in the United Kingdom, or to the Commissary of Marine, if in France; and if, after having conferred with that Functionary, it shall be necessary for the Interest of his Countrymen, he shall proceed with the Affair before the competent Tribunal or Magistrates.

ARTICLE LXIX.—All Transgressions of these Regulations established for the Protection of Fisheries in the Seas lying between the Coasts of the British Islands and those of France shall, in both Countries, be submitted to the exclusive Jurisdiction of the Tribunal or the Magistrates which shall be designated by Law.

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This Tribunal, or these Magistrates, shall also settle all Differences, and decide all Contentions, whether arising between Fishermen of the same Country, or between Fishermen of the Two Countries, and which cannot have been settled by the Commanders of Cruisers, or by the Consular Agents and the Collectors of Customs, or Commissaries of Marine, according to the Country.

The above-mentioned Jurisdiction shall not, however, be understood to apply to Murder, Felony, or any other grave Crime; all such Crimes remaining subject to the ordinary Laws of each Country respectively.

ARTICLE LXX.—The Trial and Judgment of the Transgressions mentioned in the preceding Article shall always take place in a summary Manner, and at as little Expence as possible.

ARTICLE LXXI.—In both Countries the competent Tribunal or Magistrates shall be empowered to adjudge the following Penalties for Offences against the Regulations committed by Fishermen subject to their Jurisdiction:—

First. Forfeiture and Destruction of Nets or other Fishing Implements which are not conformable to the Regulations.

Secondly. Fines from Eight Shillings (Ten Francs) to Ten Pounds Sterling (Two hundred and fifty Francs), or Imprisonment for not less than Two Days, and not more than One Month.

ARTICLE LXXII.—The Use of Nets or other Fishing Implements of which the Fittings, Size of Meshes, Dimensions, or Weight shall not be conformable to the Regulations established for each Kind of Fishery shall subject the said Nets or Implements to Seizure and Destruction, and the Offenders to a Fine of not less than Eight Shillings (Ten Francs) nor more than Three Pounds Sterling (Seventy-five Francs), or to Imprisonment from Two to Ten Days.

In Cases of Repetition of the Offence, the Fine or Imprisonment may be doubled.

ARTICLE LXXIII.—All Persons shall be condemned to a Fine of from Eight Shillings to Five Pounds Sterling (Ten Francs to One hundred and twenty-five Francs), or to Imprisonment from Five to Fifteen Days, who either by Night or by Day, conjointly or separately, shall offend against the Measures established by the Regulations for the Preservation of Peace and good Order, and specifically against those concerning—

First. The Letters, Numbers, and Names to be placed on the Boats and their Sails, and on Nets, Buoys, &c.

Secondly. The Vanes to be carried by the Boats.

Thirdly. The Distances to be observed between the Boats.

Fourthly. The placing and anchoring of Boats.

Fifthly. The placing or shooting of Nets, and taking them up.

Sixthly. The clearing of Nets.

Seventhly. The placing of Buoys upon Nets.

Eighthly. Lastly, the Lights to be shown.

In Cases of Repetition of any of these Offences, the Fine or Imprisonment may be doubled.

ARTICLE LXXIV.—In all Cases of Assault committed at Sea by Fishermen on other Fishermen, or whenever they shall have intentionally caused Damages or Loss, the competent Tribunal or Magistrates may condemn the Delinquents to a Term of Imprisonment not exceeding Twenty Days, or to a Fine not exceeding Five Pounds Sterling (One hundred and twenty-five Francs).

Should there have been at the same Time any Infringement of the Regulations, the Imprisonment or Fine above mentioned may be awarded over and above the Penalties to which the said Infringement shall have given rise.

ARTICLE LXXV.—The competent Tribunal or Magistrates shall, when the Circumstances are such as to call for it, award, over and above all Penalties inflicted for Offences against the Regulations, the Payment of Damages to the injured Parties, and shall determine the Amount of such Damages.

ARTICLE LXXVI.—The Conditions under which the Fishing Boats of either of the Two Countries shall be at liberty to come within the Fishery Limits of the other Country are laid down in the following Articles, which also specify and regulate the Penalties to be inflicted for Infraction of the said Articles.

ARTICLE LXXVII.—The competent Tribunal or Magistrates shall exclusively take cognizance (in the same Manner as stipulated in Article LXIX.) of the Infractions mentioned in Article LXXVI.

ARTICLE LXXVIII.—The putting into the Chausey Islands by British Oyster Fishing Boats is regulated by the Six following Articles.

ARTICLE LXXIX.—The putting into the Chausey Islands by British Fishing Boats, in consequence of Damage, evident bad Weather, or any other compulsory Circumstance, is a Right confirmed by Article VII. of the Convention of the Second of August One thousand eight hundred and thirty-nine.

ARTICLE LXXX.—The Expediency of putting in, under any of the Circumstances mentioned in the preceding Article,

FISHERY
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must naturally be determined by those Fishermen who may find it necessary to avail themselves of this Right.

Nevertheless, whenever the British Fishing Boats shall be able to communicate with the Commander of the British Station, they shall not put in until they are authorized so to do by the said Commander's hoisting the following Signal,—a Blue Ensign at the Mast-head.

ARTICLE LXXXI.—The Commander of the English Station may, when he shall consider this Measure necessary, authorize the weaker Boats, which are consequently the most exposed to the Effects of bad Weather, to put into the Chausey Islands whilst the other Boats shall continue to fish.

This Permission shall be made known by the following Signal,—a Red Ensign at the Mast-head.

ARTICLE LXXXII.—When the Commander of the English Station shall have authorized the Whole or Part of the British Boats to seek Shelter in the Chausey Islands, in consequence of the above-mentioned Causes, he shall give Notice thereof immediately afterwards to the French Cruisers by means of the following Signals; viz.—

For the Anchorage of all the Boats (provided for in Article LXXX.), a Blue Peter placed under the Blue Ensign at the Mast-head.

For the Anchorage of the weaker Boats (provided for in Article LXXXI.) a Blue Peter placed under the Red Ensign at the Mast-head.

ARTICLE LXXXIII.—Whenever the Appearance of the Weather, although it be not actually stormy at the Time, yet shall be so threatening that Boats could not gain Shelter of the British Channel Islands before it comes on, the British Commander, taking on himself the Responsibility of the Measure, may authorize the said Boats to anchor at Chausey, by hoisting a Blue Peter.

This Permission shall, at the same Time, be made known to the French Cruisers by means of a French Flag hoisted at the Mast-head over the said Blue Peter.

These Flags shall not be hauled down until the French Cruisers shall have understood the Signal, and answered it by hoisting, also at the Mast-head, an English Flag.

ARTICLE LXXXIV.—When British Fishing Boats put into Chausey they shall keep together in the same Part of the Anchorage.

Should any compulsory Circumstances prevent their doing so, the Commander of the English Station shall inform the French Station thereof by hoisting, in addi-

tion to the Flags flying to announce the putting in of the Boats, an Union Jack under the said Flags.

ARTICLE LXXXV.—The Fishing Boats of the one Country shall not approach nearer to any Part of the Coasts of the other Country than the Limit of Three Miles, specified in Article IX. of the Convention signed at Paris on the Second of August One thousand eight hundred and thirty-nine, except under the following Circumstances:—

First. When driven by Stress of Weather or by evident Damage to seek Shelter in the Harbours, or within the Fishery Limits of the other Country.

Secondly. When carried within the Limits established for the Fishery of the other Country, by contrary Winds, by strong Tides, or by any other Cause independent of the Will of the Master and Crew.

Thirdly. When obliged by contrary Winds or Tide to beat up in order to reach their Fishing Ground; and when, from the same Cause of contrary Wind or Tide, they could not if they remained outside, be able to hold on their course to their Fishing Ground.

Fourthly. When, during the Herring Fishing Season, the Herring Fishing Boats of the one Country shall find it expedient to anchor under Shelter of the Coasts of the other Country, in order to await a favourable Opportunity for proceeding to their lawful Fishery outside of the Limits defined by Article IX. of the Convention of the Second of August One thousand eight hundred and thirty-nine.

ARTICLE LXXXVI.—Whenever, in any of the Cases of Exception specified in the preceding Article, the Fishing Boats of either Nation shall have occasion to sail or anchor within the Limits defined by the Convention of the Second of August One thousand eight hundred and thirty-nine, the Masters of such Boats shall immediately hoist a Blue Flag, Two Feet high and Three Feet long, and shall keep this Flag flying at the Mast-head so long as they shall remain within the said Limits; consequently this Flag shall not be hauled down until the Boats are actually outside of those Limits.

These Boats, when within the aforesaid Limits, are not only prohibited from fishing themselves, but are also forbidden to send their small Boats to fish, even outside of the Limits in question. They must all (with the Exception of Herring Boats which may be waiting, as they have the Privilege of doing, for a favourable Opportunity to proceed to their lawful Fishery,) return outside the said Limits, so soon as the Causes shall have

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ceased which obliged them to come in under the Cases of Exception specified.

It is further agreed, conformably to the Tenor of the present Regulations, that the Fishing Boats of the one Country shall not use the Ports of the other Country for the greater Convenience of their Fishery Operations, either in proceeding from thence to their lawful Fishery in the Seas common to both, or in returning thereunto after Fishing; it being understood, however, that this Stipulation does not in any Manner impair the Right of putting into Port in the Cases of Exception specified in Article LXXXV.

ARTICLE LXXXVII.—It is forbidden to Herring Drift-net Fishing Boats to shoot their Nets earlier in the Day than Half an Hour before Sunset, except in Places where it is customary to carry on this Drift-net Fishing by Day-light.

ARTICLE LXXXVIII.—Herring Fishermen, being within the Fishery Limits of either Country, shall comply with the Laws and Regulations of the said Country respecting the Prohibition of fishing on the Sabbath Day.

ARTICLE LXXXIX.—The Commanders of the Cruisers of each of the Two Countries, and all Officers or other Agents whatsoever appointed to superintend the Fisheries, shall exercise their Judgment as to the Causes of any Transgressions committed by the Fishing Boats of the other Country, and when they shall be satisfied of the Fact of the Transgression, they shall detain or cause to be detained the Boats having thus transgressed the preceding Regulations (from Article LXXVI.), and shall take them or cause them to be taken into Port, where, upon clear Proof of the Transgression being brought by the detaining Party before the competent Tribunal or Magistrates, the said Boats so transgressing may be condemned to be kept for a Period not exceeding Three Months, or to a Fine not exceeding Ten Pounds Sterling (Two hundred and fifty Francs).

In testimony whereof the respective Commissioners have signed the present Regulations, and have thereto affixed their Seals.

Done in London, the Twenty-fourth Day of May in the Year of our Lord One thousand eight hundred and forty-three.

(L.S.)	ANTHONY PERRIER.
(L.S.)	F. LANGE.

59° GEO. 3. Cap. 69.

An Act to prevent the Enlisting or Engagement of His Majesty's Subjects to serve in Foreign Service, and the fitting out or equipping in His Majesty's Dominions Vessels for Warlike Purposes, without His Majesty's Licence.

[3d July 1819.]

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WHEREAS the Enlistment or Engagement of His Majesty's Subjects to serve in War in Foreign Service, without His Majesty's Licence, and the fitting out and equipping and arming of Vessels by His Majesty's Subjects, without His Majesty's Licence, for Warlike Operations in or against the Dominions or Territories of any Foreign Prince, State, Potentate, or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province, or against the Ships, Goods, or Merchandize of any Foreign Prince, State, Potentate, or Persons as aforesaid, or their Subjects, may be prejudicial to and tend to endanger the Peace and Welfare of this Kingdom: And whereas the Laws in force are not sufficiently effectual for preventing the same; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, an Act passed in the Ninth Year of the Reign of His late Majesty King George the Second, intituled *An Act to prevent the listing His Majesty's Subjects to serve as Soldiers without His Majesty's Licence*; and also an Act passed in the Twenty-ninth Year of the Reign of His said late Majesty King George the Second, intituled *An Act to prevent His Majesty's Subjects from serving as Officers under the French King*; and for better enforcing an Act passed in the Ninth Year of His present Majesty's Reign, to prevent the enlisting His Majesty's Subjects to serve as Soldiers without His Majesty's Licence; and for obliging such of His Majesty's Subjects as shall accept Commissions in the Scotch Brigade in the Service of the States General of the United Provinces to take the Oaths of Allegiance and Abjuration; and also an Act passed in Ireland in the Eleventh Year of the Reign of His said late Majesty King George the Second, intituled *An Act for the more effectual preventing the enlisting of His Majesty's Subjects to serve as Soldiers in Foreign Service without His Majesty's Licence*; and also an Act passed in Ireland in the Nineteenth Year of the Reign of His said late Majesty King George the Second, intituled *An Act for the more effectual preventing His Majesty's Subjects from entering into Foreign Service, and for publishing an Act of the Seventh Year*

9 G. 2. c. 30.

29 G. 2. c. 17.

Irish Act,
11 G. 2.

Irish Act,
19 G. 2.

FOREIGN
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Recited Acts
repealed.

Subjects en-
listing or
engaging to
enlist or serve
in Foreign
Service, mili-
tary or naval,
guilty of Mis-
demeanor.

of King William the Third, intituled 'An Act to prevent Foreign Education;' and all and every the Clauses and Provisions in the said several Acts contained, shall be and the same are hereby repealed.

Sect. 2. And be it further declared and enacted, That if any natural born Subject of His Majesty, His Heirs and Successors, without the Leave or Licence of His Majesty, His Heirs or Successors, for that Purpose first had and obtained, under the Sign Manual of His Majesty, His Heirs or Successors, or signified by Order in Council, or by Proclamation of His Majesty, His Heirs or Successors, shall take or accept, or shall agree to take or accept, any Military Commission, or shall otherwise enter into the Military Service as a Commissioned or Non-commissioned Officer, or shall enlist or enter himself to enlist, or shall agree to enlist or to enter himself, to serve as a Soldier, or to be employed or shall serve in any Warlike or Military Operation in the Service of or for or under or in Aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People, either as an Officer or Soldier, or in any other Military Capacity; or if any natural-born Subject of His Majesty shall, without such Leave or Licence as aforesaid, accept, or agree to take or accept, any Commission, Warrant, or Appointment as an Officer, or shall enlist or enter himself, or shall agree to enlist or enter himself, to serve as a Sailor or Marine, or to be employed, or engaged, or shall serve in and on board any Ship or Vessel of War, or in and on board any Ship or Vessel used or fitted out, or equipped or intended to be used for any Warlike Purpose, in the Service of or for or under or in Aid of any Foreign Power, Prince, State, Potentate, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People; or if any natural-born Subject of His Majesty shall, without such Leave and Licence as aforesaid, engage, contract, or agree to go, or shall go to any Foreign State, Country, Colony, Province, or Part of any Province, or to any Place beyond the Seas, with an Intent or in order to enlist or enter himself to serve or with Intent to serve in any Warlike or Military Operation whatever, whether by Land or by Sea, in the Service of or for or under or in Aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or in the Service of or for or under or in Aid of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People, either as an Officer

or a Soldier, or in any other Military Capacity, or as an Officer or Sailor, or Marine, in any such Ship or Vessel as aforesaid, although no enlisting Money or Pay or Reward shall have been or shall be in any or either of the Cases aforesaid actually paid to or received by him, or by any Person to or for his Use or Benefit; or if any Person whatever, within the United Kingdom of *Great Britain* and *Ireland*, or in any Part of His Majesty's Dominions elsewhere, or in any Country, Colony, Settlement, Island, or Place belonging to or subject to His Majesty, shall hire, retain, engage, or procure, or shall attempt or endeavour to hire, retain, engage, or procure, any Person or Persons whatever to enlist, or to enter or engage to enlist, or to serve or to be employed in any such Service or Employment as aforesaid, as an Officer, Soldier, Sailor, or Marine, either in Land or Sea Service, for or under or in Aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or for or under or in Aid of any Person or Persons exercising or assuming to exercise any Powers of Government as aforesaid, or to go or to agree to go or embark from any Part of His Majesty's Dominions, for the Purpose or with Intent to be so enlisted, entered, engaged, or employed as aforesaid, whether any enlisting Money, Pay, or Reward shall have been or shall be actually given or received, or not; in any or either of such Cases, every Person so offending shall be deemed guilty of a Misdemeanor, and upon being convicted thereof, upon any Information or Indictment, shall be punishable by Fine and Imprisonment, or either of them, at the Discretion of the Court before which such Offender shall be convicted.

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All Persons retaining or procuring others to enlist, guilty of the like Offence.

Sect. 3. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to render any Person or Persons liable to any Punishment or Penalty under this Act, who at any Time before the First Day of *August* One thousand eight hundred and nineteen, within any Part of the United Kingdom, or of the Islands of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, or at any Time before the First Day of *November* One thousand eight hundred and nineteen, in any Part or Place out of the United Kingdom, or of the said Islands, shall have taken or accepted, or agree to take or accept any Military Commission, or shall have otherwise enlisted into any Military Service as a Commissioned or Non-commissioned Officer, or shall have enlisted, or entered himself to enlist, or shall have agreed to enlist or to enter himself to serve as a Soldier, or shall have served, or having so served shall, after the said First Day of *August* One thousand eight hundred and nineteen, continue to serve in any Warlike or Military Operation, either as an Officer or Soldier, or in any other Military Capacity, or shall have accepted, or agreed to take or accept any Commission, Warrant, or Appointment as an Officer, or shall have enlisted or entered himself to serve, or

Act not to extend to Persons enlisted or serving before the Times herein specified.

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shall have served, or having so served shall continue to serve as a Sailor or Marine, or shall have been employed or engaged, or shall have served, or having so served shall, after the said First Day of *August*, continue to serve in and on board any Ship or Vessel of War, used or fitted out, or equipped or intended for any Warlike Purpose; or shall have engaged, or contracted or agreed to go, or shall have gone to, or having so gone to shall, after the said First Day of *August*, continue in any Foreign State, Country, Colony, Province, or Part of a Province, or to or in any Place beyond the Seas, unless such Person or Persons shall embark at or proceed from some Port or Place within the United Kingdom, or the Islands of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, with Intent to serve as an Officer, Soldier, Sailor, or Marine, contrary to the Provisions of this Act, after the said First Day of *August*, or shall embark or proceed from some Port or Place out of the United Kingdom, or the Islands of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, with such Intent as aforesaid, after the said First Day of *November*, or who shall, before the passing of this Act, and within the said United Kingdom, or the said Islands, or before the First Day of *November* One thousand eight hundred and nineteen, in any Port or Place out of the said United Kingdom, or the said Islands, have hired, retained, engaged, or procured, or attempted or endeavoured to hire, retain, engage, or procure, any Person or Persons whatever, to enlist or to enter, or to engage to enlist or to serve, or be employed in any such Service or Employment as aforesaid, as an Officer, Soldier, Sailor, or Marine, either in Land or Sea Service, or to go, or agree to go or embark for the Purpose or with the Intent to be so enlisted, entered, or engaged, or employed, contrary to the Prohibitions respectively in this Act contained, any thing in this Act contained to the contrary in anywise notwithstanding; but that all and every such Persons and Person shall be in such State and Condition, and no other, and shall be liable to such Fines, Penalties, Forfeitures, and Disabilities, and none other, as such Person or Persons was or were liable and subject to before the passing of this Act, and as such Person or Persons would have been in, and been liable and subject to, in case this Act and the said recited Acts by this Act repealed had not been passed or made.

Justices to
issue Warrants
for the Appre-
hension of
Offenders.

Sect. 4. And be it further enacted, That it shall and may be lawful for any Justice of the Peace residing at or near to any Port or Place within the United Kingdom of *Great Britain* and *Ireland*, where any Offence made punishable by this Act as a Misdemeanor shall be committed, on Information on Oath of any such Offence, to issue his Warrant for the Apprehension of the Offender, and to cause him to be brought before such Justice, or any Justice of the Peace; and it shall be lawful for the Justice of the Peace before whom such Offender shall be brought to examine into the Nature of the Offence upon

Oath, and to commit such Person to Gaol, there to remain until delivered by due Course of Law, unless such Offender shall give Bail, to the Satisfaction of the said Justice, to appear and answer to any Information or Indictment to be preferred against him, according to Law, for the said Offence; and that all such Offences which shall be committed within that Part of the United Kingdom called *England* shall and may be proceeded and tried in His Majesty's Court of King's Bench at *Westminster*, and the Venue in such Case laid at *Westminster*, or at the Assizes or Session of Oyer and Terminer and Gaol Delivery, or at any Quarter or General Sessions of the Peace in and for the County or Place where such Offence was committed; and that all such Offences which shall be committed within that Part of the United Kingdom called *Ireland* shall and may be prosecuted in His Majesty's Court of King's Bench at *Dublin*, and the Venue be laid at *Dublin*, or at any Assizes or Session of Oyer and Terminer and Gaol Delivery, or at any Quarter or General Sessions of the Peace in and for the County or Place where such Offence was committed; and all such Offences as shall be committed in *Scotland* shall and may be prosecuted in the Court of Justiciary in *Scotland*, or any other Court competent to try Criminal Offences committed within the County, Shire, or Stewartry within which such Offence was committed; and where any Offence made punishable by this Act as a Misdemeanor shall be committed out of the said United Kingdom, it shall be lawful for any Justice of the Peace residing near to the Port or Place where such Offence shall be committed, on Information on Oath of any such Offence, to issue his Warrant for the Apprehension of the Offender, and to cause him to be brought before such Justice, or any other Justice of the Peace for such Place; and it shall be lawful for the Justice of the Peace before whom such Offender shall be brought to examine into the Nature of the Offence upon Oath, and to commit such Person to Gaol, there to remain till delivered by due Course of Law, or otherwise to hold such Offender to Bail to answer for such Offence in the Superior Court competent to try and having Jurisdiction to try Criminal Offences committed in such Port or Place; and all such Offences committed at any Place out of the said United Kingdom shall and may be prosecuted and tried in any Superior Court of His Majesty's Dominions competent to try and having Jurisdiction to try Criminal Offences committed at the Place where such Offence shall be committed.

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EQUIPMENT.

Where Offences
shall be tried.

Sect. 5. And be it further enacted, That in case any Ship or Vessel in any Port or Place within His Majesty's Dominions shall have on board any such Person or Persons who shall have been enlisted or entered to serve, or shall have engaged or agreed or been procured to enlist or enter or serve, or who shall be departing from His Majesty's Dominions for the Purpose and with the Intent of enlisting or entering to serve, or to be employed, or of serving or being engaged or employed in the

Vessels with
Persons on
board engaged
in Foreign
Service may be
detained at any
Port in His
Majesty's
Dominions.

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Service of any Foreign Prince, State, or Potentate, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Colony, Province, or Part of any Province or People, either as an Officer, Soldier, Sailor, or Marine, contrary to the Provisions of this Act, it shall be lawful for any of the principal Officers of His Majesty's Customs where any such Officers of the Customs shall be, and in any Part of His Majesty's Dominions in which there are no Officers of His Majesty's Customs for any Governor or Persons having the Chief Civil Command, upon Information on Oath given before them respectively, which Oath they are hereby respectively authorized and empowered to administer, that such Person or Persons as aforesaid is or are on board such Ship or Vessel, to detain and prevent any such Ship or Vessel, or to cause such Ship or Vessel to be detained and prevented from proceeding to Sea on her Voyage with such Persons as aforesaid on board: Provided nevertheless, that no principal Officer, Governor, or Person shall act as aforesaid, upon such Information upon Oath as aforesaid, unless the Party so informing shall not only have deposed in such Information that the Person or Persons on board such Ship or Vessel hath or have been enlisted or entered to serve, or hath or have engaged or agreed or been procured to enlist or enter or serve, or is or are departing as aforesaid, for the Purpose and with the Intent of enlisting or entering to serve or to be employed, or of serving, or being engaged or employed in such Service as aforesaid, but shall also have set forth in such Information upon Oath the Facts or Circumstances upon which he forms his Knowledge or Belief, enabling him to give such Information upon Oath; and that all and every Person and Persons convicted of wilfully false swearing in any such Information upon Oath shall be deemed guilty of and suffer the Penalties on Persons convicted of wilful and corrupt Perjury.

Oath to be
made as to
Facts and Cir-
cumstances.

Penalty on
Masters of
Ships, &c.
taking on
board Persons
enlisted con-
trary to this
Act, 50*l.* for
each Person.

Sect. 6. And be it further enacted, That if any Master or other Person having or taking the Charge or Command of any Ship or Vessel in any Part of the United Kingdom of *Great Britain* and *Ireland*, or in any Part of His Majesty's Dominions beyond the Seas, shall knowingly and willingly take on board, or if such Master or other Person having the Command of any such Ship or Vessel, or any Owner or Owners of any such Ship or Vessel, shall knowingly engage to take on board any Person or Persons who shall have been enlisted or entered to serve, or shall have engaged or agreed or been procured to enlist or enter or serve, or who shall be departing from His Majesty's Dominions for the Purpose and with the Intent of enlisting or entering to serve, or to be employed, or of serving, or being engaged or employed in any Naval or Military Service, contrary to the Provisions of this Act, such Master or Owner or other Person as aforesaid shall forfeit and pay the Sum of Fifty

Pounds for each and every such Person so taken or engaged to be taken on board; and moreover every such Ship or Vessel, so having on board, conveying, carrying, or transporting any such Person or Persons, shall and may be seized and detained by the Collector, Comptroller, Surveyor, or other Officer of the Customs, until such Penalty or Penalties shall be satisfied and paid, or until such Master or Person, or the Owner or Owners of such Ship or Vessel, shall give good and sufficient Bail, by Recognizance before One of His Majesty's Justices of the Peace, for the Payment of such Penalty or Penalties.

Sect. 7. And be it further enacted, That if any Person within any Part of the United Kingdom, or in any Part of His Majesty's Dominions beyond the Seas, shall, without the Leave and Licence of His Majesty for that Purpose first had and obtained as aforesaid, equip, furnish, fit out, or arm, or attempt or endeavour to equip, furnish, fit out, or arm, or procure to be equipped, furnished, fitted out, or armed, or shall knowingly aid, assist, or be concerned in the equipping, furnishing, fitting out, or arming of any Ship or Vessel, with Intent or in order that such Ship or Vessel shall be employed in the Service of any Foreign Prince, State, or Potentate, or of any Foreign Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise any Powers of Government in or over any Foreign State, Colony, Province, or Part of any Province or People, as a Transport or Store Ship, or with Intent to cruise or commit Hostilities against any Prince, State, or Potentate, or against the Subjects or Citizens of any Prince, State, or Potentate, or against the Persons exercising or assuming to exercise the Powers of Government in any Colony, Province, or Part of any Province or Country, or against the Inhabitants of any Foreign Colony, Province, or Part of any Province or Country, with whom His Majesty shall not then be at War; or shall, within the United Kingdom, or any of His Majesty's Dominions, or in any Settlement, Colony, Territory, Island, or Place belonging or subject to His Majesty, issue or deliver any Commission for any Ship or Vessel, to the Intent that such Ship or Vessel shall be employed as aforesaid, every such Person so offending shall be deemed guilty of a Misdemeanor, and shall, upon Conviction thereof, upon any Information or Indictment, be punished by Fine and Imprisonment, or either of them, at the Discretion of the Court in which such Offender shall be convicted; and every such Ship or Vessel, with the Tackle, Apparel, and Furniture, together with all the Materials, Arms, Ammunition, and Stores which may belong to or be on board of any such Ship or Vessel, shall be forfeited; and it shall be lawful for any Officer of His Majesty's Customs or Excise, or any Officer of His Majesty's Navy, who is by Law empowered to make Seizures for any Forfeiture incurred under any of the Laws of Customs or Excise, or the Laws of Trade and Navigation, to seize such

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Penalty on
Persons fitting
out armed Ves-
sels to aid in
Military Ope-
rations with any
Foreign Powers
without Li-
cence;

or issuing Com-
missions for
Ships.

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Ships and Vessels aforesaid, and in such Places and in such Manner in which the Officers of His Majesty's Customs or Excise and the Officers of His Majesty's Navy are empowered respectively to make Seizures under the Laws of Customs and Excise, or under the Laws of Trade and Navigation; and that every such Ship and Vessel, with the Tackle, Apparel, and Furniture, together with all the Materials, Arms, Ammunition, and Stores which may belong to or be on board of such Ship or Vessel, may be prosecuted and condemned in the like Manner, and in such Courts, as Ships or Vessels may be prosecuted and condemned for any Breach of the Laws made for the Protection of the Revenues of Customs and Excise, or of the Laws of Trade and Navigation.

Penalty for
aiding the War-
like Equipment
of Vessels of
Foreign
States, &c.

Sect. 8. And be it further enacted, That if any Person in any Part of the United Kingdom of *Great Britain and Ireland*, or in any Part of His Majesty's Dominions beyond the Seas, without the Leave and Licence of His Majesty for that Purpose first had and obtained as aforesaid, shall, by adding to the Number of the Guns of such Vessel, or by changing those on board for other Guns, or by the Addition of any Equipment for War, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting the warlike Force of any Ship or Vessel of War, or Cruizer, or other armed Vessel, which at the Time of her Arrival in any Part of the United Kingdom, or any of His Majesty's Dominions, was a Ship of War, Cruizer, or armed Vessel in the Service of any Foreign Prince, State, or Potentate, or of any Person or Persons exercising or assuming to exercise any Powers of Government in or over any Colony, Province, or Part of any Province or People belonging to the Subjects of any such Prince, State, or Potentate, or to the Inhabitants of any Colony, Province, or Part of any Province or Country under the Control of any Person or Persons so exercising or assuming to exercise the Powers of Government, every such Person so offending shall be deemed guilty of a Misdemeanor, and shall, upon being convicted thereof, upon any Information or Indictment, be punished by Fine and Imprisonment, or either of them, at the Discretion of the Court before which such Offender shall be convicted.

Offences com-
mitted out of
the Kingdom
may be tried at
Westminster.

Sect. 9. And be it further enacted, That Offences made punishable by the Provisions of this Act, committed out of the United Kingdom, may be prosecuted and tried in His Majesty's Court of King's Bench at *Westminster*, and the Venue in such Case laid at *Westminster*, in the County of *Middlesex*.

How Penalties
shall be sued for
and recovered.

Sect. 10. And be it further enacted, That any Penalty or Forfeiture inflicted by this Act may be prosecuted, sued for, and recovered, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster* or

Dublin, or in the Court of Exchequer, or in the Court of Session in *Scotland*, in the Name of His Majesty's Attorney General for *England* or *Ireland*, or His Majesty's Advocate for *Scotland* respectively, or in the Name of any Person or Persons whatsoever, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparance, shall be allowed; and in every Action or Suit the Person against whom Judgment shall be given for any Penalty or Forfeiture under this Act shall pay Double Costs of Suit; and every such Action or Suit shall and may be brought at any Time within Twelve Months after the Offence committed, and not afterwards; and one Moiety of every Penalty to be recovered by virtue of this Act shall go and be applied to His Majesty, His Heirs or Successors, and the other Moiety to the Use of such Person or Persons as shall first sue for the same, after deducting the Charges of Prosecution from the whole.

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Double Costs.

Limitation of
Actions.

Sect. 11. And be it further enacted, That if any Action or Suit shall be commenced, either in *Great Britain* or elsewhere, against any Person or Persons for any thing done in pursuance of this Act, all Rules and Regulations, Privileges and Protections, as to maintaining or defending any Suit or Action, and pleading therein, or any Costs thereon, in relation to any Acts, Matters, or Things done, or that may be done by any Officer of Customs or Excise, or by any Officer of His Majesty's Navy, under any Act of Parliament in force on or immediately before the passing of this Act, for the Protection of the Revenues of Customs and Excise, or Prevention of Smuggling, shall apply and be in full Force in any such Action or Suit as shall be brought for any thing done in pursuance of this Act, in as full and ample a Manner to all Intents and Purposes as if the same Privileges and Protections were repeated and re-enacted in this Act.

Former Rules
established by
Law to be ap-
plied to Actions
commenced in
pursuance of
this Act.

Sect. 12. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to subject to any Penalty any Person who shall enter into the Military Service of any Prince, State, or Potentate in *Asia*, with Leave or Licence, signified in the usual Manner, from the Governor General in Council, or Vice President in Council, of *Fort William* in *Bengal*, or in conformity with any Orders or Regulations issued or sanctioned by such Governor General or Vice President in Council.

Penalties not to
extend to Per-
sons entering
into Military
Service in *Asia*.

5° & 6° VICT. Cap. 47.

FOREIGN
PLATE.An Act to amend the Laws relating to the Customs. (1)
[9th July 1842.]

Foreign Gold and Silver Plate imported, not being battered, not to be sold, unless of the proper Standard and duly assayed.

Sect. 59. And be it enacted, That all Gold and Silver Plate, not being battered, which shall be imported from Foreign Parts after the Commencement of this Act, and sold, exchanged, or exposed to Sale within the United Kingdom of *Great Britain* and *Ireland*, shall be of the respective Standards, now required for any Ware, Vessel, Plate, or Manufacture of Gold or Silver wrought or made in *England*; and that no Gold or Silver Plate so to be imported as aforesaid, not being battered, shall be sold, exchanged, or exposed to Sale within the said United Kingdom until the same shall have been assayed, stamped, and marked, either in *England*, *Scotland*, or *Ireland*, in the same Manner as any Ware, Vessel, Plate, or Manufacture of Gold or Silver wrought or made in *England*, *Scotland*, or *Ireland* respectively is or are now by Law required to be assayed, stamped, and marked; and that every Goldsmith, Silversmith, or other Person whatsoever who shall sell or expose to Sale in *England*, *Scotland*, or *Ireland* any Gold or Silver Plate so to be imported as aforesaid, and not being battered, before the same shall have been so assayed, stamped, and marked as aforesaid, shall be subject and liable to the like Penalties and Forfeitures in all respects, and to be recoverable in the same Manner, as the Penalties and Forfeitures now by Law imposed upon Goldsmiths and Silversmiths selling, exchanging, or exposing to Sale in *England*, *Scotland*, or *Ireland* respectively any Ware or Manufacture of Gold or Silver Plate made or wrought in *England*, *Scotland*, or *Ireland* respectively, and not assayed, stamped, and marked as required by Law: Provided always, that no Article or Ware of Gold or Silver so to be imported as aforesaid shall be liable to be assayed, stamped, or marked as aforesaid which would not be liable to be assayed, stamped, or marked if it had been wrought or made in *England*.

Power of sending to be assayed and of assaying at the Assay Offices Gold and Silver Plate imported.

Sect. 60. And be it enacted, That in order that Gold and Silver Plate so imported as aforesaid may be assayed, stamped, and marked, it shall and may be lawful for any Person to send the same to any Assay Office in the United Kingdom at which Gold and Silver Plate is now by Law required to be assayed, and when so sent it shall be assayed, tested, stamped, and marked in such and the same Manner, and be subject to such and the same Charges, other than Stamp Duty, as if the same

(1) This Act has been repealed, with the Exception of the Two Sections here given.

were *British* Plate by Law assayable in such Office ; and the Wardens and Officers in each such Assay Offices, and the Persons employed by them, shall have such and the same Powers of assaying, touching, testing, marking, cutting, breaking, or defacing such Gold and Silver Plate so sent to be assayed as are now by Law exercisable by such Wardens, Officers, and other Persons in respect of Gold and Plate now by Law required to be assayed in such Assay Offices.

FOREIGN
PLATE.

5^o & 6^o VICT. Cap. 56.FOREIGN
PLATE.An Act for further amending the Laws relating to the
Customs. (1) [30th July 1842.]

Ornamental
Plate made
prior to the
Year 1800 may
be sold without
being assayed.

Sect. 6. And whereas by the said Act to amend the Laws relating to the Customs, the Sale, Exchange, and Exposition to Sale of Gold and Silver Plate not being battered, which should be imported after the passing of the said Act, and not being of the Standards respectively required for Gold and Silver Wares in *England*, and not having been assayed, stamped, or marked as therein is mentioned, are prohibited, with such Penalties and Forfeitures as therein are declared or referred to: And whereas it is expedient that such Plate as herein-after is described should be exempted from the Operation of the said Prohibition; be it therefore enacted, That from and after the passing of this Act it shall be lawful to sell, exchange, or expose to Sale any Gold or Silver Plate which since the passing of the said Act shall have been or henceforth shall be imported from Foreign Parts, such Gold or Silver Plate being of Foreign Manufacture, and of an ornamental Kind, and having been made or wrought previous to the Year One thousand eight hundred, notwithstanding such Gold or Silver Plate shall not be of such Standard as aforesaid, and shall not be assayed, stamped, or marked as by the said last-mentioned Act is required, any thing in the said last-mentioned Act in anywise notwithstanding: Provided always, that in any Action, Suit, or other Proceeding against any Party for any Forfeiture or Penalty for selling, exchanging, or exposing to Sale any Gold or Silver Plate imported from Foreign Parts, before the same shall have been assayed, stamped, or marked as in the said Act is mentioned, the Proof that the same was manufactured previous to the Year One thousand eight hundred, or that the same was imported previous to the passing of the said last-mentioned Act, shall lie on such Party.

In case of
Action, the
Proof that the
Plate was made
before 1800, or
was imported
before passing
of the Act
5 & 6 Vict. c. 47.,
to lie on De-
fendant.

(1) This Act has been repealed, with the Exception of the Section here given.

6° & 7° GUL. 4. Cap. 79.

An Act for vesting Lighthouses, Lights, and Sea Marks upon the Coasts of *England* in the Corporation of *Trinity House* of *Deptford Stroud*; and for making Provisions respecting Lighthouses, Lights, Buoys, Beacons, and Sea Marks, and the Tolls and Duties payable in respect thereof. [13th August 1836.]

LIGHTHOUSES.

WHEREAS by far the greater Number of the Lighthouses upon the Coasts of *England*, and the Islands and other Places adjoining thereto, belong to or are under the Control and Management of the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Stroud* in the County of *Kent*, commonly called the Corporation of *Trinity House* of *Deptford Stroud*, as well by virtue of a certain Act of Parliament of the Eighth Year of Queen *Elizabeth*, intituled *An Act concerning Sea Marks and Mariners*, as by virtue of divers ancient Grants and Charters, and particularly of a certain ancient Grant dated the Eleventh Day of *June* in the Thirty-sixth Year of Her said Majesty, whereby Her Majesty granted to the Master, Wardens, and Assistants of the said Corporation the Beaconage and Buoyage, and the Office of Beaconage and Buoyage, upon the Surrender thereof into the Hands of Her Majesty by *Charles Lord Howard Baron of Effingham*, then being Her said Majesty's Great Admiral of *England*; and the said Master, Wardens, and Assistants are entitled to erect and maintain from Time to Time such and so many Beacons, Marks, and Signs for the Sea in such Place or Places of the Sea Shores and Uplands near the Sea Coasts or Forelands as to them shall seem most meet, whereby Dangers may be avoided, and Ships the better come to their Ports without Peril: And whereas the several Lighthouses at *Harwich* in the County of *Essex*, *Dungeness* in the County of *Kent*, *Wintertonness* and *Hunstanton Cliff* in the County of *Norfolk*, and *Orfordness* in the County of *Suffolk*, still remain Parcel of the Possessions and Land Revenues of the Crown in *England*, and are under the separate Control and Management of divers Individuals, as Lessees thereof under the Crown, for Terms of Years which are not yet expired; (that is to say,) the Lighthouse at *Harwich* under the Control and Management of Lieutenant General *Francis Slater Rebow*, the Lighthouse at *Dungeness* under the Control and Management of *Thomas William Coke* Esquire, the Lighthouses at *Wintertonness* and *Orfordness* under the Control and Management of the Right Honourable *Richard Griffin* Lord *Braybrooke*, and the Lighthouse at *Hunstanton Cliff* under the Control and Management

8 Eliz. c. 13.

Harwich,
Dungeness,
Wintertonness,
Hunstanton
Cliff, and Or-
fordness Lights.

LIGHTHOUSES.	of <i>Sammel Lane</i> Esquire, or his Representatives : And whereas certain other Lighthouses upon the Coasts of <i>England</i> are under the separate Control and Management of divers Individuals, as the Proprietors or Lessees thereof; (that is to say,)
Skerries Light.	the Lighthouse upon the Island Rock called " <i>Skerries</i> ," in <i>Saint George's Channel</i> , under the Control and Management of <i>Morgan Jones</i> Esquire, acting by virtue of an Act of the
3 G. 2. c. 36.	Third Year of <i>George</i> the Second, intituled <i>An Act for confirming a Patent granted by Her late Majesty Queen Anne to William Trench Esquire, deceased, for erecting a Lighthouse upon the Island or Rock called "Skerries," and for the better Maintenance of the said Lighthouse; and for making the Duties</i>
Spurn Lights.	<i>granted for maintaining the same perpetual; the Lighthouses near the Spurn Point at the Mouth of the River Humber under the Control and Management of Benedict John Angell Angell Esquire and George Lowther Thomson Esquire, acting by virtue of an Act of the Sixth Year of George the Third,</i>
6 G. 3. c. 31.	<i>intituled An Act for taking down and removing certain Lighthouses now standing near the "Spurn Point" at the Mouth of the Humber, and for erecting other fit and convenient Lighthouses instead thereof, and an Act of the Twelfth Year of George the</i>
12 G. 3. c. 29.	<i>Third, intituled An Act to explain and amend an Act passed in the Sixth Year of His present Majesty, intituled 'An Act for taking down and removing certain Lighthouses now standing near the "Spurn Point" at the Mouth of the Humber, and for erecting other fit and convenient Lighthouses instead thereof;'</i>
Tinmouth Castle Light.	the Lighthouse at <i>Tinmouth</i> in the County of <i>Northumberland</i> under the Control and Management of <i>William Focke</i> Esquire, acting by virtue of an Act of the Forty-second Year of <i>George</i>
42 G. 3. c. 43.	the Third, intituled <i>An Act for improving the Tinmouth Castle Lighthouse and Light, and for authorizing additional Light Duties in respect of such Improvement; and the Lighthouse on the Rock called "The Smalls," in Saint George's Channel,</i>
Smalls.	under the Control and Management of <i>Mistress Elizabeth Buchanan and Thomas Pickering Clarke</i> Esquire, by virtue of a Lease from the said Master, Wardens, and Assistants of the Corporation of <i>Trinity House</i> , subject to a Rent payable in respect thereof; and the Lighthouse on the Rock called
Longships.	" <i>The Longships</i> ," on the Coast of <i>Cornwall</i> , is held by <i>Henry Pascoe Smith</i> Esquire, by virtue of a like Lease from the said Master, Wardens, and Assistants : And whereas by an Act of the Third Year of <i>George</i> the Fourth, intituled <i>An Act for (among other things) enabling the Corporation of Trinity House of Deptford Strond to reduce, alter, modify, relinquish, or abolish Dues payable to the said Corporation; and for other Purposes connected therewith,</i> it was enacted, that the Master, Wardens, and Assistants of the said Corporation might with any surplus Monies then or thereafter in their Hands, arising from any Tolls theretofore or thereafter payable to them, purchase any Beacons, Buoy, Lighthouses, or other Marks
3 G. 4. c. 111.	

and Signs for the Sea, or any Interest therein or in any Tolls arising therefrom, belonging to any Body Corporate or Politic or to any Person; and that all such Bodies or Persons, and all other Persons whosever possessed thereof or interested therein, might contract for the Sale thereof with the said Master, Wardens, and Assistants, and might convey the same to them: And whereas by virtue of the last-mentioned Act the said Master, Wardens, and Assistants have purchased certain Estates and Interests in Lighthouses and Tolls from Parties possessed thereof: And whereas the several Lighthouses upon the Coasts of *Scotland* are under the Control and Management of the Commissioners of the Northern Lighthouses, acting by virtue of an Act of the Twenty-sixth Year of *George* the Third, intituled *An Act for erecting certain Lighthouses in the Northern Parts of Great Britain*, and of several other Acts for rendering the last-mentioned Act more effectual: And whereas the several Lighthouses upon the Coasts of *Ireland* are under the Control and Management of the Corporation for preserving and improving the Port of *Dublin* acting by virtue of an Act of the Fifty-second Year of *George* the Third, intituled *An Act to make more effectual Provision for enabling the Corporation for preserving and improving the Port of Dublin to erect, repair, and maintain Lighthouses and Lights round the Coasts of Ireland, and to raise a Fund for defraying the Charges thereof*: And whereas there are also divers other Lights exhibited in and near to certain Ports, Harbours, and Places on the Coasts of the United Kingdom for the Guidance of Vessels entering or resorting to the same, and sometimes called Local or Harbour Lights, which Lights are under the Control and Management of Commissioners, Trustees, and other local Officers and Persons: And whereas, in order to the Attainment of Uniformity of System in the Management of Lighthouses, and the Reduction and Equalization of the Tolls payable in respect thereof, it is necessary that all Lighthouses upon the Coast of *England* and other Places adjoining or near thereto, for the Protection and Guidance of Vessels navigating the *British* Seas, and the Tolls payable in respect thereof, should be vested in the said Master, Wardens, and Assistants, and that the several Lighthouses upon the Coasts of *Scotland* and *Ireland* respectively should be under their Supervision: And whereas in order to prevent Accidents which may arise from Local or Harbour Lights in the United Kingdom being mistaken for Coast Lights it is necessary that they should be made subject to the Control of the said Master, Wardens, and Assistants, Commissioners of Northern Lighthouses, and Corporation for preserving and improving the Port of *Dublin* respectively: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

LIGHTHOUSE.

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Scotch Lights.

26 G. 3. c. 101.

Irish Lights.

52 G. 3. c. 115.

Harbour
Lights.

LIGHTHOUSES.

Property of
the Crown in
Lighthouses
transferred to
the Trinity
House:

subject to
certain sub-
sisting Leases
granted by the
Commissioners
of Woods and
Forests.

Extra Duties
on Foreign
Ships privileged
under the Re-
ciprocitiy Acts
no longer to be
paid to the
Trinity House
out of the Con-
solidated Duties
of Customs.

If Reciprocitiy
Conventions
cease, the
Duties to be
again levied, and
the Amount
thereof paid
into the Con-
solidated Fund.

and by the Authority of the same, That on and after the First Day of *January* One thousand eight hundred and thirty-seven all the Estate, Right, and Interest of His Majesty in the several Lighthouses at *Harwich*, *Dungeness*, *Wintertonness*, *Orfordness*, and *Hunstanton Cliff*; and in the Land whereon the same respectively stand, and the Buildings, Lands, and Appurtenances thereunto respectively belonging, and occupied for the Purposes of the same respectively, and the Fixtures, Apparatus, and Furniture thereunto belonging, and the Tolls and Duties payable in respect thereof, shall be transferred to and shall be absolutely vested in the said Master, Wardens, and Assistants, subject nevertheless to the several subsisting Leases of the said several Lighthouses and Premises granted by His Majesty, or by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to the several Persons under whose Control and Management the said Lighthouses respectively now are, as herein before is mentioned.

Sect. 31. And whereas certain Tolls are by Law payable in respect of certain of the Lighthouses referred to in this Act as being under the Control and Management of Individuals, and also in respect of certain other Lighthouses now under the Control and Management of the said Master, Wardens, and Assistants, on Foreign Ships and Vessels, over and above the Tolls payable in respect of such Lighthouses on *British Ships* and Vessels; but the Vessels of certain Foreign Powers have, by virtue of Conventions and Treaties heretofore entered into with such Foreign Powers, and by Orders of His Majesty in Council, been exempted from the Payment of such extra Tolls, and Provision hath been made for indemnifying the several Persons entitled thereto, by Payment of the same out of the Consolidated Duties of Customs: And whereas it is expedient that the said Consolidated Duties should be relieved from such Payments; be it therefore enacted, That from the passing of this Act no Payment shall be made out of the said Consolidated Duties as Indemnity for such extra Tolls in respect of any Lighthouse now under the Control and Management of the said Master, Wardens, and Assistants, nor shall any such Payment be made in respect of any Lighthouse to be purchased by them under the Authority of this Act from the Time when the Purchase thereof shall be completed.

Sect. 32. Provided always, and be it further enacted, That if at any Times hereafter any of the said Conventions and Treaties shall determine, or any of the said Orders of His Majesty in Council shall be revoked, then the said extra Tolls shall again be levied on the Ships and Vessels of Foreign Powers on which, prior to such Conventions, Treaties, and Orders, such extra Tolls were payable; and the Amount of all such extra Tolls

which shall be received by the said Master, Wardens, and Assistants shall be paid by them to the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

LIGHTHOUSES.

Sect. 35. And whereas there hath for a long Series of Years been a Lighthouse upon the Island of *Heligoland*, and a Light exhibited therefrom for the Protection and Guidance of Ships and Vessels navigating the *German Ocean*, or entering or departing from the Rivers *Elbe* and *Weser*, and such Lighthouse was rebuilt in or about the Year One thousand eight hundred and ten: And whereas a Floating Light was established in or about the Year One thousand eight hundred and thirteen on *Bembridge Ledge* in the *English Channel*: And whereas the said Lighthouse and Light have since those Times been respectively maintained by and at the Cost of His Majesty; be it therefore further enacted, That from the passing of this Act the said Lighthouse at *Heligoland*, with the Land, Buildings, and Appurtenances thereunto belonging or occupied for the Purpose thereof, and all the Fixtures, Apparatus, and Furniture respectively belonging thereto, and the Floating Light on *Bembridge Ledge* aforesaid, with the Vessel from which the same is exhibited, and the Tackle, Furniture, and Stores belonging to the said Vessel, together with the Furniture and Apparatus of and belonging to the said Floating Light, shall become the Property of and absolutely vest in the said Master, Wardens, and Assistants, and their Successors, and they shall thenceforth be deemed to be in the actual Occupation thereof, freed from all former and other Estates, Rights, Titles, Interests, Claims, and Demands, whether of His Majesty or of any other Person, and the Maintenance, Control, and Management of the said Lighthouse and Floating Light shall thenceforth be in the said Master, Wardens, and Assistants as are the several Lighthouses and Floating Lights now belonging to them.

Vesting the
Lighthouse at
Heligoland and
the *Bembridge*
Light in the
Trinity House.

Sect. 36. And whereas the Tolls received in respect of the Lighthouse in the Island of *Heligoland* are insufficient to defray the necessary Expences of maintaining the same, and the Excess of Expences beyond the Receipts has become a considerable Charge on His Majesty's Government: And whereas Foreign Ships and Vessels, although they derive great Benefit from the said Lighthouse, do not at present pay any Toll in respect thereof, and it is reasonable that such Foreign Vessels should contribute to the Expences of the same, so far as they are benefited thereby; be it therefore further enacted, That from the Thirty-first Day of *December* One thousand eight hundred and thirty-six the several Tolls now levied and taken in respect of the said Light so exhibited on the said Island of *Heligoland* shall cease and be no longer received, and that in lieu thereof the said Master, Wardens, and Assistants may from the said Thirty-first Day of *December* One thousand eight hundred and

Duties to be
taken in respect
of the *Heligo-*
land Light.

LIGHTHOUSES.

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thirty-six, from Time to Time, receive towards the Maintenance of the said Lighthouse, and the Exhibition of a proper Light therefrom, the Sum of One Penny *per* Ton for every Vessel (not belonging to His Majesty) for each Time that such Vessel shall depart from any Port or Place within the United Kingdom of *Great Britain* and *Ireland* to any Port or Place at, within, or near to the Entrance of the Rivers *Elbe* and *Weser* or either of them, and the like Toll upon every Vessel (not belonging to His said Majesty) for each Time that such Vessel shall arrive at any Port or Place within the said United Kingdom from any Port or Place at, within, or near to the Entrance of the said Rivers or either of them.

Duties hereafter
to be paid in
respect of
Lighthouses,
&c. on the
Coasts of Scot-
land.

Sect. 40. And be it enacted, That from the First Day of *January* One thousand eight hundred and thirty-seven the Tolls now payable by or in respect of Vessels for or towards the Maintenance of the several Lighthouses at present under the Management of the Commissioners of Northern Lighthouses (1) shall cease to be payable, and that in lieu thereof there shall thenceforth for ever be paid to the said Commissioners of the Northern Lighthouses for every Vessel belonging to the United Kingdom of *Great Britain* and *Ireland* (the same not belonging to His Majesty, His Heirs or Successors, or being navigated wholly in Ballast), and for every Foreign Vessel which by any Act of Parliament, Order in Council, Convention, or Treaty shall be privileged to enter the Ports of the said United Kingdom upon paying the same Duties of Tonnage as are paid by *British* Vessels (the same not being Vessels navigated wholly in Ballast), which shall pass any of the said Lighthouses or derive Benefit thereby, the Toll of One Halfpenny *per* Ton of the Burden of every such Vessel for each Time of passing every such Lighthouse or deriving Benefit thereby, and of One Penny *per* Ton for each Time of passing the *Bell Rock* Lighthouse, and Double the said Tolls for every Foreign Vessel not so privileged.

Extra Duties on
Foreign Ships
privileged under
the Reciprocity
Acts no longer
to be paid to the
Commissioners
or Corporation.

Sect. 41. And be it enacted, That from the passing of this Act all Payments heretofore made to the said Commissioners of the Northern Lighthouses and to the Corporation for preserving and improving the Port of *Dublin* respectively (2), out of the Consolidated Duties of Customs, in lieu of any extra Tolls payable on Foreign Vessels in respect of any Lighthouse on the Coasts of *Scotland* or *Ireland* respectively, shall cease: Provided always, that in case any of the said extra Tolls shall again be levied the same shall be paid by the said Commissioners and Corporation to the Consolidated Fund of *Great Britain* and *Ireland*.

(1) See § 1.

(2) See § 1.

Sect. 50. And be it enacted, That the said Corporation for preserving and improving the Port of *Dublin* (1) may, after the passing of this Act, appoint fit Persons at and for such Ports, Districts, and Places in *Ireland* as they shall deem expedient to be Collectors of the Tolls payable or to be hereafter payable to the said Corporation in respect of Lighthouses upon the Coasts of *Ireland*; and as soon as such Appointment shall have been made the Tolls which by the said recited Act of the Fifty-second Year of King *George* the Third (2) are directed to be paid to the Collector or other Chief Officer of the Customs in the several Ports of *Ireland* shall be paid to and collected by the Collectors so to be appointed by the said Corporation.

LIGHTHOUSES.

Corporation for improving the Port of *Dublin* may appoint Collectors of Tolls in respect of Lighthouses.

Sect. 51. And for the more uniform and better Collection of the Tolls payable in respect of Lighthouses throughout the United Kingdom, and for affording greater Facility to Parties paying the same, be it enacted, That from the Thirty-first Day of *December* One thousand eight hundred and thirty-six the Collector from Time to Time appointed by the said Master, Wardens, and Assistants for any Port, District, or Place in *England*, and the Collector appointed by the said Commissioners for any Port, District, or Place in *Scotland*, and the Collector appointed by the said Corporation for any Port, District, or Place in *Ireland*, is hereby authorized and required to collect, demand, and receive all the Tolls to which every Vessel within such Port, District, or Place shall be liable in respect of any Lighthouse, in whatsoever Part of the said United Kingdom such Lighthouse may be situate, and whether such Tolls shall be payable to such of them, the said Master, Wardens, and Assistants, Commissioners and Corporation, as such Collector was appointed by, or to the other or others of them; and every such Collector shall account for and pay over all the Tolls received by him to such of them, the said Master, Wardens, and Assistants, Commissioners and Corporation, as he shall have been appointed by; and the said Master, Wardens, and Assistants, Commissioners and Corporation, shall in every Year mutually account to each other for all such Tolls as shall have been received by any of them for the others of them respectively under this Act, and pay over whatever Balance may be due on such Account to either of them.

Duties in respect of Lighthouses throughout the United Kingdom how to be collected.

Sect. 52. Provided always, and be it enacted, That if at any Time the Lords Commissioners of His Majesty's Treasury shall be of opinion that in any Case the Collection of the said Tolls can conveniently and properly be made, and that it is expedient that the same should be made by the Collector or

Duties to be collected by the Officers of His Majesty's Customs when the Lords of the

(1) See §§ 1. and 41.

(2) That is, Cap. 115. See § 1.

LIGHTHOUSES.
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 'Treasury so
 recommend.

other Chief Officer of His Majesty's Customs at any Port or Place, the said Lords Commissioners shall and may from Time to Time communicate such their Opinion to the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, who shall thereupon appoint such Collector or other Chief Officer to make such Collection accordingly, and pay him such Commission or Allowance (if any) in respect thereof as to the said Lords Commissioners shall seem reasonable.

Duties when
 to be collected.

Sect. 53. And be it enacted, That no Officer of the Customs of His Majesty at any of the Ports, Harbours, or Places of the said United Kingdom who shall be required in manner herein-after mentioned to ascertain that such Tolls have been paid, shall receive any Entry or Report or Cocquet or other Discharge or Clearance, Inwards or Outwards, for any Vessel liable to any Tolls payable in respect of any Lighthouse, in whatever Part of the United Kingdom the same may be, until the Owner, Master, or other Person having the Command of such Vessel, or his Agent, shall show to such Officer of the Customs a Voucher for the Payment of such Tolls, signed by some Collector appointed by the said Master, Wardens, and Assistants, Commissioners or Corporation, in respect of such Port, Harbour, or Place (if any such Collector shall have been so appointed); and so often as it shall happen that there shall be no such Collector appointed by the said Master, Wardens, and Assistants, Commissioners or Corporation, in respect of any such Port, Harbour, or Place, then until the Amount of such Tolls to which any such Vessel entering or departing from any such Port, Harbour, or Place shall be liable shall have been paid to the Collector or other Chief Officer of His Majesty's Customs at such Port, Harbour, or Place, who shall receive such Tolls and cause the Amount thereof to be paid to the said Master, Wardens, and Assistants, Commissioners or Corporation; (that is to say,) where the Port, Harbour, or Place shall be in *England*, to the said Master, Wardens, and Assistants; where the said Port, Harbour, or Place shall be in *Scotland*, to the said Commissioners; and where the said Port, Harbour, or Place shall be in *Ireland*, to the said Corporation; the said Officer of His Majesty receiving such Tolls and paying the same being allowed such reasonable Commission in respect thereof as to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, shall seem meet, so that the same shall not exceed Five *per Cent.* on the Sums collected by him; and the Commissioners of His Majesty's Customs shall from Time to Time, if thereunto requested by the said Master, Wardens, and Assistants, Commissioners or Corporation, require some One Officer of His Majesty's Customs at every such Port, Harbour, or Place to ascertain that such Tolls have been paid, and shall from Time to Time give such Orders to such Officer in relation thereto as shall seem necessary for securing the Col-

Allowance for
 Collection in
 certain Cases.

lection of the said Tolls according to any Regulation then in force respecting such Collection. LIGHTHOUSES.

SECT. 54. And be it enacted, That in case any Master or Owner, or other Person having the Charge of any Vessel liable to the Payment of any Tolls in respect of any Lighthouse, shall refuse or neglect to pay any such Tolls to which such Vessel shall be liable to the Collector authorized to receive the same, the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, or the Collector authorized to receive the same, or the Collector or other Chief Officer of His Majesty's Customs, or other Person entitled to receive the same, may seize and carry away any of the Goods, Merchandize, Guns, Tackle, Furniture, or Apparel of or belonging to or on board of any such Vessel (leaving Notice thereof on board such Vessel), and detain the same for the Space of Three full Days then next, unless the said Tolls, and all Arrears thereof due in respect of such Vessel, shall in the meantime be satisfied; and in case all such Tolls and Arrears thereof shall not before the Expiration of such Three Days have been satisfied, then the said Master, Wardens, and Assistants, Commissioners or Corporation, or the Collector authorized to receive the same, or the Collector or other Chief Officer of His Majesty's Customs, or other Person entitled to receive the same, or such Person as they shall appoint in that Behalf, may cause the same Goods, Merchandize, Guns, Tackle, Furniture, or Apparel so seized to be appraised by Two or more sufficient Persons or sworn Appraisers within a reasonable Space of Time then next following, and may thereupon sell the same, and out of the Proceeds of such Sale pay the Amount of the Tolls or Arrears thereof to which such Ship shall be liable, together with the reasonable Charges of the Seizure, Detention, Appraisement, and Sale, rendering to the Master or Owner or other Person having the Command of such Vessel the Overplus (if any), on Demand.

SECT. 55. Provided nevertheless, and be it enacted, That, notwithstanding any thing in this Act contained, the said Master, Wardens, and Assistants, and the said Commissioners, and the said Corporation, may sue for and recover the Amount of any Tolls payable to them in respect of any Lighthouse by Action of Debt or Suit in Equity in any of His Majesty's Courts of Record in *Great Britain* or *Ireland*, against the Owner or Master or other Person having the Command of any Vessel liable thereto. Duties may be recovered by Action or Suit.

SECT. 57. And be it enacted, That the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, from Time to Time, upon the like Requisition, or with the like Consent of His Majesty in Council, may make Regulations for the Purpose of relieving certain Vessels from the Tolls payable Regulations to be made for Relief of Ships and Vessels with regard to Duties.

Lighthouse.

to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, in respect of any Lighthouses, upon such Terms and to such Extent as to them respectively shall seem proper, or for the Purpose of substituting any other Class of Toll or other Payment in respect of Vessels, or any particular Description of Vessels, in lieu of the Tolls to which such Vessels may be subject at the Time of the making such Regulations respectively, or for the Purpose of altering the Times and Places or either of them at which any Tolls in respect of any Lighthouses shall be payable, and may revoke or alter any such Regulation; and from and after the Time when such Regulation shall take effect the Tolls thereby made payable shall be paid by the Owners and Masters of the Vessels mentioned therein (unless otherwise directed by such Regulation), and be recoverable by the said Master, Wardens, and Assistants, Commissioners and Corporations respectively, at such Time and Place and in such Manner as were the Tolls in lieu whereof the same shall have been so made payable: Provided always, that no such Regulation, or Revocation or Alteration of any such Regulation, shall take effect until the same shall have been submitted by the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, to and shall have been assented to and confirmed by His Majesty in Council, and such Assent and Confirmation shall have been signified in Writing to the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, nor until One Month after the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, shall have caused Notice of such Regulation, or of such Revocation or Alteration of any Regulation, (as the Case may be,) to be published in the *London Gazette*.

Tables of Tolls
and Regulations
to be hung up in
Custom Houses.

Sect. 58. And, to the Intent that the Amount of the Tolls from Time to Time payable to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, upon Vessels, in respect of Lighthouses, and also the Regulations from Time to Time in force concerning them, may be publicly made known, be it further enacted, That as soon as conveniently may be after the said Master, Wardens, and Assistants shall have completed the said Purchases by this Act authorized to be made, and shall, upon the Requisition or with the Consent of His Majesty in Council, have altered, modified, or reduced the Tolls hereby vested in them, or made Regulations concerning the same, they shall cause to be drawn up a Table of all the Tolls payable to them upon Vessels in respect of any Lighthouses, together with a Summary of such Regulations as shall have been made by them concerning the same upon such Requisition or with such Consent as aforesaid, and shall cause the same to be laid before His Majesty in Council, and the same shall be signed by the Clerk of the Council, and enrolled and

entered amongst the Public Records thereof; and the said Master, Wardens, and Assistants shall cause a printed Copy of such Table together with such Summary to be delivered to the Commissioners of His Majesty's Customs at His Majesty's Custom House in *London*, and a printed Copy thereof to be also forwarded to His Majesty's Principal Officer of Customs at each Port or Place within the United Kingdom for which any such Officer shall be appointed; and the said Commissioners and Corporation respectively shall within Four Months next after the passing of this Act in like Manner cause to be drawn up a like Table of all the Tolls payable to them respectively upon Vessels in respect of any Lighthouses, with a Summary of such Regulations as shall have been made by them concerning the same upon such Requisition or with such Consent as aforesaid, and shall cause the same to be laid before His Majesty in Council, and the same shall be signed and enrolled or entered as aforesaid; and the said Commissioners and Corporation respectively shall cause printed Copies of such Tables respectively, together with such Summary, to be so delivered and forwarded as aforesaid, and so from Time to Time as often as any Alteration in the Amount of any such Tolls, or any new Regulation, or Alteration of any existing Regulation concerning the same, shall be made, the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, shall, with all convenient Speed, cause fresh Tables of such Tolls and a Summary of every such new Regulation or Alteration to be laid before His Majesty in Council, where the same shall be so signed and entered as aforesaid; and the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, shall cause printed Copies thereof in like Manner to be delivered at His Majesty's Custom Houses in *London*, *Edinburgh*, and *Dublin* respectively, and forwarded to such several Principal Officers of Customs within the United Kingdom; and the Commissioners of His Majesty's Customs for the Port of *London*, *Edinburgh*, and *Dublin* respectively, and all other His Majesty's Principal Officers of Customs for any such Port or Place to whom any such Copies shall be so delivered or forwarded, shall cause the same to be kept constantly hung up and preserved as long as the same shall remain in force in some conspicuous Part of His Majesty's Custom Houses in *London*, *Edinburgh*, and *Dublin* respectively, or other the Custom House for any such Port or Place, so that the said Tables may be seen and read by all Persons having any Business in such Custom Houses respectively; and the Tolls specified in any such Table, when so signed and entered, shall be the lawful Tolls or Duties payable to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, and the same, and none other, shall be received by them respectively upon the Vessels and in respect of the Lighthouses therein referred to, and in such Manner and Form as shall be directed therein, or in such Summary so there-

Lighthouses.

with drawn up and entered as aforesaid; and a Copy of any such Table, examined with the Original so entered and so purporting to be signed as aforesaid, shall be deemed and taken in all Courts of Law and other Places to be Evidence of the Right to recover such Tolls according to the Tenor thereof.

Interpretation
Clause.

Sect. 64. And be it enacted, That in the Provisions of this Act which relate to the Purchase or vesting of Lighthouses, and to the Application of the Purchase Money thereof, the Word "Lighthouse" shall be construed to include (as the Case may be) Lighthouse, Light, or Sea Mark, and all Lands, Buildings, Fixtures, Apparatus, and Furniture belonging thereto and occupied therewith, and all Tolls or Duties or other Profits or Produce arising in respect of such Lighthouse, Light, or Sea Mark, or its Appurtenances, and any Estate or Interest therein, and Rent, Rent-charge, Annuity, Payment, or Incumbrance issuing thereout or charged thereon; and the Words "Purchase Money" shall include Compensation as well as Purchase Money, and whether ascertained by Agreement between the Master, Wardens, and Assistants and the Party interested, or by Assessment by a Jury; and the Word "Payment" shall include all Rents, Rent-charges, Annuities, or Sums of Money payable; and the Word "Sheriff" shall include Under Sheriff or other legally competent Deputy; and the Word "Precept" shall include "Warrant;" and the Word "Person" shall include Bodies Politic or Corporate; and in all other Parts of this Act the Word "Lighthouse" shall include Lighthouses, Lights, Sea Marks, Floating Lights, Beacons, Buoys, and other Marks or Signs for the Sea; and the Word "Tolls" shall in every Part of this Act include every Species of Duty or Payment payable by the Owners or Masters of Ships and Vessels in respect of a Lighthouse, Floating Light, Sea Mark, Buoy, or Beacon; and the Word "Vessel" shall include "Ship;" and the Expression "Officer of the Customs" shall include Collector, Comptroller, Receiver of Entries, Surveyor, or Searcher, Waiter, or any other Officer of Customs of His Majesty, or his Deputy or Clerk; and the Expression "His Majesty" shall include the Heirs and Successors of His Majesty; and the Expression "His Majesty in Council" shall mean His Majesty acting by and with the Advice of His Most Honourable Privy Council; and the Term "Lord High Treasurer" shall mean also the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, while that Office is performed by Commission; and the Word "Commissioners" shall mean Commissioners of the Northern Lighthouses; and the Word "Corporation" shall mean Corporation for preserving and improving the Port of *Dublin*; and the Word "*England*" shall mean *England* and the Principality of *Wales*; and the Word "County" shall mean any Riding or other like Division of a County; and in describing any Persons or Things any Word importing the

Plural Number shall mean also one Person or Thing, and any Word importing the Singular Number shall include several Persons or Things; and any Word importing the Masculine shall include also the Feminine Gender; unless in any of such Cases there shall be something in the Subject or Context repugnant to such Construction.

LIGHTHOUSES.
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Sect. 65. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

The SCHEDULE to which the foregoing Act refers.

SKERRIES.
SPURN POINT.
TINMOUTH CASTLE.
SMALLS.
LONGSHIPS.

[The other Sections of this Act do not relate to the Customs.]

7^o & 8^o VICT. Cap. 112.

MERCHANT
SEAMEN.

An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen.
[5th September 1844.]

The Act
5 & 6 W. 4. c. 19.
repealed from
and after
1st Jan. 1845,
except, &c.

WHEREAS the Prosperity, Strength, and Safety of this United Kingdom and Her Majesty's Dominions do greatly depend on a large, constant, and ready Supply of Seamen; and it is therefore expedient to promote the Increase of the Number of Seamen, and to afford them all due Encouragement and Protection; and for this Purpose to amend and consolidate the Laws relating to them; and it is also expedient to keep a Register of Seamen: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and forty-five, from which Day this Act shall commence and take effect, an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service*, shall be and the same is hereby repealed, except so far as such Act repeals the Acts thereby repealed, and except so far as relates to the Establishment, Maintenance, and Regulations of the Office called "The General Register Office of Merchant Seamen:" Provided always, that all Offences which shall have been committed and all Penalties and Forfeitures which shall have been incurred previously to the Commencement of this Act shall and may be punishable and recoverable respectively under the above-mentioned Act as if the same had not been repealed; provided also, that all Acts and Things made, done, or executed under or by virtue of and in accordance with the Provisions of the said Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, prior to the Commencement of this Act, shall be good, valid, and effectual to all Intents and Purposes.

No Seaman to be taken to Sea without a written Agreement, or without a Register Ticket being obtained from such Seaman.

Sect. 2. And be it enacted, That it shall not be lawful for any Master of any Ship, of whatever Tonnage or Description belonging to any Subject of Her Majesty, proceeding to Parts beyond the Seas, or of any *British* registered Ship of the Burden of Eighty Tons or upwards employed in any of the Fisheries of the United Kingdom, or in proceeding Coastwise, or otherwise, from one Part of the United Kingdom to another, to carry to Sea any Seaman as one of his Crew or Complement (Appren-

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times excepted), unless the Master of such Ship shall have first made and entered into an Agreement in Writing with such Seaman, specifying what Wages such Seaman is to be paid, the Quantity of Provisions he is to receive, the Capacity in which he is to act or serve, and the Nature of the Voyage in which the Ship is to be employed, so that such Seaman may have some Means of judging of the Period for which he is likely to be engaged; and that such Agreement shall be properly dated and shall be signed by such Master in the first instance, and by the Seaman respectively at the Port or Place where they shall be shipped; and that the Signature of each of the Parties thereto shall be duly attested by One Witness at the least, and that the Master shall cause the Agreement to be read over and explained to every such Seaman in the Presence of such Witness, before such Seaman shall execute the same; and it shall not be lawful for the Master of any Ship to carry to Sea any Seaman, being a Subject of Her Majesty, until he shall also have first obtained from every such Seaman or other Person his Register Ticket (to be procured as herein-after mentioned),⁽¹⁾ which Ticket the said Master is hereby required to retain (except in the Cases herein-after provided) until the Service of such Seaman shall have terminated, and at the Termination of such Service the said Master shall return the Register Ticket to him.

Agreement to
be read over
and explained
to Seamen.

Sect. 3. And be it enacted, That in the Case of any Ships of whatever Tonnage or Description, belonging to any Subject or Subjects of Her Majesty, and proceeding to Parts beyond the Seas, (except as herein-after provided,) the Agreement shall be in the Form set forth in Schedule (A.) to this Act annexed, and shall contain the several Particulars therein mentioned or required; and the Master shall, within Twenty-four Hours after the Ship's Arrival at her final Port of Destination in this United Kingdom, deliver or cause to be delivered to the Collector or Comptroller of the Customs at and for such Port every Agreement so made as aforesaid, or a true Copy thereof, and of every Endorsement thereon, the Agreement, or Copy thereof, in either Case, to be certified as such by such Master or Owner, and also by the Mate or next Officer (if any) of such Ship or Vessel, each of whom is hereby required to sign such Certificate in the Presence of One attesting Witness at the least; and if the original Agreement be delivered to such Collector or Comptroller he shall retain the same until all the Wages to which the Agreement relates shall be paid or satisfied, and then he shall transmit such original Agreement to the Registrar of Seamen; and no such Ship shall be cleared inwards by the Tide Surveyor or other Officer until the Master shall produce and show a Certificate from such Collector or Comptroller (which he is hereby required to give) to the Effect that he has delivered his

Regulations
respecting Form
of Agreements,
and how to be
disposed of.

No Ship to be
cleared inwards
until Receipt
for Agreement
is produced.

(1) See § 20.
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Agreements in
Form of Sched-
ule (B.) not to
extend beyond
30th June and
31st December.

Owner or
Master to
deliver such
Agreements or
Copies thereof
half-yearly.

Vessel not to
receive Transire,
&c. until Re-
ceipt for such
Agreements be
produced.

Masters of Ves-
sels under
Eighty Tons in
coasting or
fishing Trade to
receive Tickets
from Seamen.

Penalty for
Default.

Agreement, or an attested Copy thereof, as aforesaid; and the Tide Waiters left on board shall be maintained at the Expence of the Master or Owner until such Certificate shall be produced and shown, or until it shall be proved to the Satisfaction of the Tide Surveyor or other Officer that such Agreement or Agreements, or such Copy thereof, has or have been so delivered as aforesaid; and in the Case of any Ship employed in fishing on the Coasts of the United Kingdom, or proceeding from one Part of the United Kingdom to another, or proceeding to any of the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, or to any Place on the Continent of *Europe* between the River *Elbe* inclusive and *Brest*, the Agreement shall be in the Form set forth in Schedule (B.) to this Act annexed, and shall contain the several Particulars therein mentioned or required; and every such Agreement shall not extend beyond the Thirtieth of *June* and the Thirty-first of *December* in each Year, or on Arrival in any Port of the United Kingdom after the same respective Dates; and the Owner or Master of every such Ship as last aforesaid shall, within Twenty-one Days next after the Thirtieth Day of *June* and the Thirty-first Day of *December* in each Year, transmit or deliver, or cause to be transmitted or delivered, to the Collector or Comptroller of the Customs of any Port of the United Kingdom, every Agreement made within the Six Months next preceding such Thirtieth Day of *June* and Thirty-first Day of *December* respectively, or a true Copy thereof, and of every Endorsement thereon, certified as aforesaid; and such Collectors and Comptrollers respectively shall and are hereby required to give a Receipt (specifying the Nature of the Document) for every Agreement or other Document, or such Copy thereof, to the Master, Owner, or Person so delivering the same; and no Master or Owner, after the Expiration of the said Twenty-one Days, shall be entitled to or receive a Transire, or any other Customs Document necessary for the Conduct of the Business of the Ship, until he shall produce and show such Receipt, or shall prove to the Satisfaction of the Officer that every such Agreement, or such Copy thereof as aforesaid, has been duly delivered as aforesaid; and the Owner or Master of every Ship under the Burden of Eighty Tons, employed as last aforesaid, who is not required by this Act to enter into any written Agreement with his Crew, shall, before employing any Seaman or other Person in the Service of his Ship, receive from every such Seaman or other Person his Register Ticket, and shall retain the same until the Service of such Seaman or other Person shall have expired, and at the Expiration of such Service the Master shall return the Register Ticket to the Person entitled thereto.

Sect. 4. And be it enacted, That if any Master or Owner shall carry out to Sea any Seaman (Apprentices excepted) without having first entered into the required Agreement with

such Seaman, or if any Master shall not obtain from any Seaman or other Person, being a Subject of Her Majesty, his Register Ticket, according to the Provisions of this Act, he shall in either and every of such Cases forfeit and pay the Sum of Ten Pounds for and in respect of every such Seaman; and if any Master or Owner shall neglect to cause such Agreement to be read over and explained to such Seaman before the signing or Execution thereof by such Seaman, the said Master or Owner shall for each Neglect forfeit and pay the Sum of Five Pounds for every such Seaman; and if any Master or Owner shall neglect or omit to deliver or cause to be delivered to such Collector or Comptroller any such Agreement, or such Copy thereof as aforesaid, or shall not deliver up any Register Ticket to the Person entitled to it at the Expiration of his Service, or otherwise, as required by this Act, he shall for every such Neglect, Omission, or Offence forfeit and pay the Sum of Ten Pounds, or if any Master or Owner shall deliver or cause to be delivered a false Copy of the Agreement he shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Sect. 5. And be it enacted, That no Seaman, by reason of any Agreement, shall forfeit his Lien upon the Ship, nor be deprived of any Remedy for the Recovery of his Wages to which he would otherwise be entitled against any Person or Persons whatever; and no Agreement contrary to or inconsistent with this Act, nor any Clause, Contract, or Engagement whereby any Seaman shall consent or promise to forego or give up any Right or Claim to Wages in the Case of Freight earned by a Ship subsequently lost, or any Right or Claim to Salvage or Reward for Salvage Services, or such Proportion of Salvage or Reward for Salvage Services as shall or may be due to him by Degree or Award, or otherwise, shall be valid or binding on such Seaman; and every Copy of an Agreement so certified and delivered as aforesaid shall in all Cases be received and taken as Evidence of the Contents of the Agreement for and on behalf of the Seaman; and no Seaman shall in any Case be required to produce such Agreement, or such Copy as aforesaid, or to give Notice for the Production thereof; but in case the Agreement shall not be produced and proved he shall be at liberty to prove the Contents or Purport thereof, or to establish his Claim by other Evidence, according to the Nature of the Case.

Seamen not to be deprived of legal Remedies.

No Agreement contrary to the Act, or to forego Salvage, to be valid; and certified Copy of Agreement to be Evidence.

Seamen not bound to produce Agreement.

Sect. 6. And be it enacted, That in case a Seaman, whether before the Commencement or during the Progress of any Voyage, shall at any Time neglect or refuse to join the Ship on board of which he shall have engaged to serve, or shall refuse to proceed to Sea in such Ship, or shall absent himself therefrom without Leave, or shall desert, it shall be lawful for any Justice of the Peace in and for any of Her Majesty's Dominions, or the

Seamen refusing to join, or to proceed in the Ship, or absenting themselves therefrom, may be committed to Gaol, or be sent on board.

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Territories under the Government of the *East India* Company, where or near to the Place where such Ship shall happen to be, or where such Seaman shall be found, and such Justice is hereby required, upon Complaint made upon Oath by the Master, Mate, or Owner, or his Agent, to issue his Warrant, and cause such Seaman to be apprehended, and brought before him; and in case such Seaman shall not give a Reason to the Satisfaction of such Justice for his Neglect, Refusal, or Absence, as the Case may be, or in case of Desertion, it shall be lawful for any such Justice, upon due Proof of such Neglect, Refusal, Absence, or Desertion, to commit such Seaman to Prison or to the House of Correction, there to be imprisoned, with or without hard Labour, at the Discretion of such Justice, for a Period not exceeding Thirty Days; or it shall be lawful for the said Justice, if he shall so think fit, at the Request of the Master, Mate, or Owner, or his Agent, instead of committing such Seaman, to cause him to be conveyed on board the said Ship, or to be delivered to the Master, Mate, or Owner, or his Agent, for the Purpose of being so conveyed and proceeding on the Voyage, and also to award to the Master or Owner such Costs incurred in the Apprehension of the Seaman as to such Justice shall seem reasonable, not exceeding in any Case the Sum of Forty Shillings, which shall be chargeable against and may be deducted from the Wages of such Seaman; and whenever any Seaman shall be committed to Prison or to any House of Correction, the Justice shall cause his Register Ticket to be delivered to the Governor or Keeper of such Prison or House of Correction, who shall retain the same during the Period of the Seaman's Imprisonment, and at the Expiration of such Period shall return the Register Ticket to the Seaman; and whenever a Seaman shall be sentenced to Death or Transportation the Officer having the Custody of such Seaman shall transmit his Register Ticket to the Registrar of Seamen.

When Seaman
committed to
Prison his
Ticket to be
delivered to
Gaoler.

Forfeiture for
temporary Ab-
sence from or
Refusal to per-
form his Duty.

Sect. 7. And be it enacted, That if any Seaman during the Time or Period specified for his Service shall wilfully and without Leave absent himself from the Ship, or otherwise from his Duty, he shall (in all Cases not of Desertion, or not treated as such by the Master,) forfeit out of his Wages the Amount of Two Days Pay, and for every Twenty-four Hours of such Absence the Amount of Six Days Pay, or, at the Option of the Master, the Amount of such Expences as shall have been necessarily incurred in hiring a Substitute; and in case any Seaman while he shall belong to the Ship shall without sufficient Cause neglect or refuse to perform such his Duty as shall be reasonably required of him by the Master or other Person in command of the Ship, he shall be subject to a like Forfeiture in respect of every such Offence, and of every Twenty-four Hours Continuance thereof; and in case any such Seaman, after the Ship's Arrival at her Port of Delivery, and before

her Cargo shall be discharged, shall quit the Ship, without a previous Discharge or Leave from the Master, he shall forfeit One Month's Pay out of his Wages: Provided always, that no such Forfeiture shall be incurred unless the Fact of the Seaman's Absence, Neglect, or Refusal shall be duly entered in the Ship's Log Book, the Truth of which Entry it shall be incumbent on the Owner or Master, in all Cases of Dispute, to substantiate by the Evidence of the Mate or some other credible Witness.

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PROVISO.

Sect. 8. And be it enacted, That in all Cases where the Seaman shall have contracted for Wages by the Voyage or by the Run or by the Share, and not by the Month or other stated Period of Time, the Amount of Forfeitures to be incurred by Seamen under this Act shall be ascertained in manner following; (that is to say,) if the whole Time spent in the Voyage agreed upon shall exceed One Calendar Month, the Forfeiture of One Month's Pay expressed in this Act shall be accounted and taken to be a Forfeiture of a Sum of Money bearing the same Proportion to the whole Wages or Share as a Calendar Month shall bear to the whole Time spent in the Voyage; and in like Manner a Forfeiture of Six Days Pay, or less, shall be accounted and taken to be a Forfeiture of a Sum bearing the same Proportion to the whole Wages or Share as the Six Days or other Period shall bear to the whole Time spent in the Voyage; and if the whole Time spent in the Voyage shall not exceed the Period for which the Pay is to be forfeited the Forfeiture shall be accounted and taken to be a Forfeiture of the whole Wages or Share; and the Master or Owner is hereby authorized to deduct the Amount of all Forfeitures out of the Wages or Share of any Seaman incurring the same.

How Amount
of Forfeiture is
to be ascertained
when Seamen
contract for the
Voyage.

Sect. 9. And be it enacted, That any Seaman or other Person who shall desert the Ship to which he shall belong shall forfeit to the Owner thereof all his Clothes and Effects which he may leave on board, and he shall also forfeit all Wages and Emoluments to which he might otherwise be entitled; and in case of any Seaman deserting abroad he shall likewise forfeit all Wages and Emoluments whatever which shall be or become due or be agreed to be paid to him from or by the Owner or Master of any other Ship in the Service whereof such Seaman may have engaged for the Voyage back to the United Kingdom; and that all Wages and Portions of Wages and Emoluments which shall in any Case whatever become forfeited for Desertion shall be applied, in the first instance, in or towards the Reimbursement of the Expences occasioned by such Desertion to the Owner or Master of the Ship from which the Seaman shall have deserted, and the Remainder shall be paid to the Seaman's Hospital Society; and the Master shall, in case of Desertion in the United Kingdom, deliver up the

Forfeiture for
Desertion.

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SEAMEN.

Register Ticket of such Seaman or other Person to the Collector or Comptroller of the Customs at the Port: Provided always, that every Desertion be entered in the Log Book at the Time, and certified by the Signatures of the Master and the Mate, or the Master and One other credible Witness; and that the Absence of a Seaman from his Ship for any Time within Twenty-four Hours immediately preceding the sailing of the Ship from any Port, whether before the Commencement or during the Progress of any Voyage, wilfully and knowingly, without Permission, or the wilful Absence of a Seaman from his Ship at or for any Time without Permission, and under Circumstances showing an Intention to abandon the same, and not return thereto, shall be deemed a Desertion of and from the same Ship; and in case any Seaman shall desert in Parts beyond the Seas, and the Master of the Ship shall engage a Substitute at a higher Rate of Wages than that stipulated in the Agreement to be paid to the Seaman so deserting, the Owner or Master of the Ship shall be entitled to recover from the Deserter, by summary Proceeding, in the same Manner as Penalties are by this Act made recoverable (so far as the same can be applied), any Excess of Wages or Portion thereof which such Owner or Master shall pay to such Substitute beyond the Amount which would have been payable to the Deserter in case he had duly performed his Service pursuant to his Agreement: Provided always, that no Seaman shall be imprisoned longer than Three Calendar Months for Nonpayment of any such Excess of Wages.

Penalty for
harbouring
Deserters.

No Debt ex-
ceeding 5s.
recoverable
from a Seaman
till Voyage is
ended.

Seaman's Ef-
fects not to be
detained under
Pretence of
Debt.

Penalty.

Sect. 10. And be it enacted, That if any Person shall wilfully harbour or secrete any Seaman or Apprentice who shall have deserted from his Ship, knowing or having Reason to believe such Seaman or Apprentice to be a Deserter, every Person so offending shall for every such Seaman or Apprentice so harboured or secreted forfeit and pay the Sum of Ten Pounds; and no Debt exceeding in Amount Five Shillings, incurred by any Seaman after he shall have engaged to serve, shall be recoverable until the Service agreed for shall have been concluded; nor shall it be lawful for any Keeper of a Public House, or of a Lodging House for Seamen, to detain any Chest, Tools, or other Property of any Seaman for any Debt alleged to have been contracted by him; and in case of such Detention of the Chest, Tools, or other Property of a Seaman, it shall be lawful for any Justice of the Peace at or near the Place, upon Complaint upon Oath to be made by such Seaman or on his Behalf, to inquire into the Matter upon Oath in a summary Way; and if it shall appear to such Justice that the alleged Claim is fraudulent, or that the Debt was not fairly incurred to the full Amount of the Claim, by Warrant under his Hand and Seal to cause such Effects to be seized and delivered over to such Seaman; and the Person so detaining

the same shall forfeit and pay a Sum not exceeding Ten Pounds, at the Discretion of such Justice.

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Sect. 11. And be it enacted, That the Master or Owner of every Ship shall and is hereby required to pay to every Seaman his Wages within the respective Periods following; (that is to say,) if the Ship shall be employed in coasting, the Wages shall be paid within Two Days after the Termination of the Agreement, or at the Time when any such Seaman shall be discharged, whichever shall first happen; and if the Ship shall be employed otherwise than coasting, then the Wages shall be paid at the latest within Three Days after the Cargo shall have been delivered, or within Seven Days after the Seaman's Discharge, whichever shall first happen; and in all Cases the Seaman shall, at the Time of his Discharge, be entitled to be paid, on account, a Sum equal to One Fourth Part of the Balance due to him; and in case the Master or Owner shall neglect or refuse to make Payment in manner aforesaid, he shall for every such Neglect or Refusal forfeit and pay to the Seaman the Amount of Two Days Pay (to be recovered as Wages) for each Day, not exceeding Ten Days, during which Payment shall, without sufficient Cause, be delayed beyond the respective Periods aforesaid: Provided always, that nothing in this Clause contained shall extend to the Cases of Ships employed in the Southern Whale Fishery, or on Voyages for which Seamen, by the Terms of their Agreement, are wholly compensated by Shares in the Profits of the Adventure.

The Period
within which
Wages are to
be paid.

Sect. 12. And be it enacted and declared, That every such Payment of Wages to a Seaman shall be valid and effectual in Law, notwithstanding any Bill of Sale or Assignment which may have been made of such Wages, or of any Attachment or Incumbrance thereon, and that no Assignment or Sale of Wages or Salvage made prior to the accruing thereof, nor any Power of Attorney expressed to be irrevocable for the Receipt of any such Wages or Salvage, shall be valid or binding upon the Party making the same, and any Attachment to be issued from any Court whatever shall not prevent the Payment of Wages to any Seaman; and if during the Voyage the Allowance of Provisions which a Seaman agreed to receive shall be reduced One Third of the Quantity or less he shall receive Four-pence *per* Day, and if the Reduction be more than One Third he shall receive Eight-pence *per* Day, during the Period such respective Deductions may be made, and such pecuniary Allowance shall be paid to him in addition to and be recoverable as Wages.

Payment of
Wages or Sal-
vage to be
deemed valid,
notwithstand-
ing Bill of
Sale, &c.

Allowance for
short Pro-
visions.

Sect. 13. And be it enacted, That upon the Discharge of a Seaman from any Ship, or upon Payment of the Wages to him, he shall receive from the Master, and the Master is hereby

Masters to give
Seamen their
Certificates on
their Discharge.

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Penalty for
Default.

required to give to him, not only his Register Ticket, but also a Certificate of such Seaman's Service and Discharge, in the Form set forth in Schedule (E.) to this Act annexed, specifying the Period of his Service, and the Time and Place of his Discharge, which Certificate shall be signed by the Master, and if the Master shall not give such Certificate to such Seaman he shall forfeit and pay to him the Sum of Five Pounds.

For obtaining
immediate Pay-
ment of Wages
in certain Cases.

Sect. 14. And be it enacted, That if Three Days after the Termination of the stipulated Service, or if Three Days after a Seaman shall have been discharged, he shall be desirous of proceeding on another Voyage, and in order thereto, or for any other sufficient Reason, shall require immediate Payment of any Amount of Wages, not exceeding Twenty Pounds, due to him, it shall be lawful for any Justice of the Peace, in and for any Part of Her Majesty's Dominions or the Territories under the Government of the *East India* Company, where or near to the Port or Place where such Service shall have terminated, or such Seaman shall have been discharged, or the Party or Parties liable shall be or reside, on Application from such Seaman, and on satisfactory Proof that he would be prevented from Employment or incur serious Loss or Inconvenience by Delay, to summon such Party or Parties before him, and if it shall appear to the Satisfaction of such Justice that there is no reasonable Cause for Delay, to order Payment to be made forthwith, and in default of immediate Compliance with such Order such Party or Parties shall forfeit and pay to such Seaman, in addition to his Wages, the Sum of Five Pounds.

Summary Mode
of recovering
Wages.

Sect. 15. And be it enacted, That in all Cases of Wages, not exceeding Twenty Pounds, which shall be due and payable to any Seaman, it shall be lawful for any Justice of the Peace in and for any Part of Her Majesty's Dominions or the Territories under the Government of the *East India* Company, where or near to the Place where the Ship shall have ended her Voyage, cleared at the Custom House, or discharged her Cargo, or where or near to the Place where the Party or either of the Parties upon whom the Claim is made shall be or reside, upon Complaint on Oath made to such Justice by such Seaman, or on his Behalf, to summon such Party or Parties to appear before him to answer such Complaint; and upon the Appearance of such Party or Parties, or, in default thereof, on due Proof of him or them having been so summoned, such Justice is hereby empowered to examine the Parties and their respective Witnesses (if there be any), upon Oath, touching the Complaint, and the Amount of Wages due, and to inspect any Agreement or Copy thereof, if produced, and make such Order for Payment of the said Wages, not exceeding Twenty Pounds, with the Costs incurred by the Seaman in prosecuting such Claim, as

shall to such Justice appear reasonable and just ; and in case such Order shall not be obeyed within Two Days next after the making thereof it shall be lawful for such Justice to issue his Warrant to levy the Amount of the Wages awarded to be due, by Distress and Sale of the Goods and Chattels of the Party on whom such Order for Payment shall be made, rendering to such Party the Overplus (if any shall remain of the Produce of the Sale), after deducting thereout all the Costs, Charges, and Expences incurred by the Seaman in the making and prosecuting of the Complaint, as well as the Costs and Charges of the Distress and Levy ; or to cause the Amount of the said Wages, Costs, Charges, and Expences to be levied on the Ship in respect of the Service on board which the Wages are claimed, or on the Tackle and Apparel thereof ; and if such Ship shall not be within the Jurisdiction of such Justice, or such Levy cannot be made, or shall prove insufficient, then he is hereby empowered to cause the Party upon whom the Order shall be made to be apprehended, and committed to the Common Gaol of the District or County, there to remain without Bail until Payment shall be made of the Amount of the Wages so awarded, and of all Costs and Expences attending the Recovery thereof ; and the Award and Decision of such Justice as aforesaid shall be final and conclusive.

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Sect. 16. And be it enacted, That all the Rights, Liens, Privileges, and Remedies (save such Remedies as are against a Master himself) which by this Act, or by any Law, Statute, Custom, or Usage, belong to any Seaman or Mariner, not being a Master Mariner, in respect to the Recovery of his Wages, shall, in the Case of the Bankruptcy or Insolvency of the Owner of the Ship, also belong and be extended to Masters of Ships or Master Mariners, in respect to the Recovery of Wages due to them from the Owner of any Ship belonging to any of Her Majesty's Subjects ; and that no Suit or Proceeding for the Recovery of Wages shall, unless they exceed Twenty Pounds, be instituted against the Ship, or the Master or Owner thereof, either in any Court of Admiralty or Vice Admiralty Court, or any Court of Record in Her Majesty's Dominions, or the Territories under the Government of the *East India Company*, unless the Owner of the Ship shall be bankrupt or insolvent, or the Ship shall be under Arrest or sold by the Authority of any Admiralty or Vice Admiralty Court, or unless any Magistrate acting under the Authority of this Act shall refer the Case to be adjudged by any such Court or Courts, or unless neither the Owner nor Master shall be or reside at or near the Port or Place where the Service shall have terminated, or where any Seaman shall have been discharged or put on shore.

Masters to have
same Remedies
for Wages as a
Seaman.

As to Suits for
Recovery of
Wages.

Sect. 17. And be it enacted, That whenever any Ship what-
ever, belonging to any Subject of Her Majesty, shall be sold,
When Ship is
sold at Foreign

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Port, the Crew to be sent home at the Expence of the Master or Owner, and Ticket and Certificate of Discharge to be given.

transferred, or disposed of at any Port out of Her Majesty's Dominions, in all such Cases (unless the Crew in the Presence of the *British* Consul or Vice Consul, or in case of there not being any such Consul or Vice Consul, then in the Presence of One or more *British* resident Merchants, not interested in the said Ship, shall signify their Consent in Writing to complete the Voyage if continued), or whenever the Service of any Seaman shall terminate at any Place out of Her Majesty's Dominions, the Master shall and he is hereby required to give to each of the Crew and to each of the Seamen whose Service shall terminate as last aforesaid a Certificate of Discharge in the said Form set forth in Schedule (E.), and also his Register Ticket, and, besides paying the Wages to which they shall respectively be entitled, either to provide them with adequate Employment on board some other *British* Vessel homeward bound, or to furnish the Means of sending them back to the Port in Her Majesty's Dominions at which they were originally shipped, or to such other Port in the United Kingdom as shall be agreed upon between him and them respectively, or to provide them with a Passage home, or to deposit with the Consul or Vice Consul, Merchant or Merchants as aforesaid, such a Sum of Money as shall be by them deemed sufficient to defray the Expences of the Subsistence and Passage of such Seamen; and if the Master shall refuse or neglect so to do, such Expences, when defrayed by such Consul or Vice Consul, or any other Person on behalf of the Seamen, shall be a Charge upon the Owner of such Ship, except in Cases of Barratry, and may be recovered against such Owner as so much Money paid to his Use, together with full Costs, at the Suit of the Consul or other Person defraying such Expences, or as a Debt due to Her Majesty, in case the same shall have been allowed to the Consul out of the public Monies, and if defrayed by the Seaman shall be recoverable as Wages due to him; and in all Cases of Wreck or Loss of the Ship every surviving Seaman shall be entitled to his Wages up to the Period of the Wreck or Loss of the Ship, whether such Ship shall or shall not have previously earned Freight; provided the Seaman shall produce a Certificate from the Master or Chief surviving Officer of the Ship, to the effect that he had exerted himself to the utmost to save the Ship, Cargo, and Stores.

Wages to be paid in case of Wreck.

A Supply of Medicines, Lime Juice, Sugar, and Vinegar, &c. to be kept on board, and Seamen hurt in the Service of the Ship to be provided with Advice, &c. gratis.

Sect. 18. And be it enacted, That every Ship navigating between the United Kingdom and any Place out of the same shall have and keep constantly on board a sufficient Supply of Medicines and Medicaments suitable to Accidents and Diseases arising on Sea Voyages, in accordance with the Scale which shall from Time to Time or at any Time be issued by the Lord High Admiral, or by the Commissioners for executing the Office of Lord High Admiral, and published in the *London Gazette*; and every Ship (except those bound to *European* Ports or to Ports in the *Mediterranean Sea*) shall also have on board a sufficient Quantity of Lime or Lemon Juice, Sugar,

and Vinegar, the Lime or Lemon Juice, Sugar, and Vinegar to be served out to the Crew whenever they shall have been consuming salt Provisions for Ten Days; the Lime or Lemon Juice and Sugar daily after the Rate of Half an Ounce each *per* Day, and the Vinegar weekly, at the Rate of Half a Pint *per* Week to each Person, so long as the Consumption of salt Provisions be continued; and in case any Default shall be made in providing and keeping such Medicines, Medicaments, and Lime or Lemon Juice, Sugar, and Vinegar, the Owner of the Ship shall incur a Penalty of Twenty Pounds for each and every Default; and in case of Default of serving out such Lime or Lemon Juice, Sugar, or Vinegar as aforesaid, the Master shall incur a Penalty of Five Pounds for each and every Default; and in case the Master or any Seaman shall receive any Hurt or Injury in the Service of the Ship, the Expence of providing the necessary surgical and medical Advice, with Attendance and Medicines, and for his Subsistence until he shall have been cured, or shall have been brought back to some Port of the United Kingdom, shall, together with the Costs of his Conveyance to the United Kingdom, be defrayed by the said Owner of the Ship without any Deduction whatever on that Account from the Wages of such Master or Seaman; and, if paid by any Officer or other Person on behalf of Her Majesty, the Amount, with full Costs of Suit, shall be recovered as a Debt due to Her Majesty; and every Ship having One hundred Persons or upwards on board, and every Ship the Voyage of which shall be deemed under the Provisions of the Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels*, to exceed Twelve Weeks, having Fifty Persons or upwards on board, shall have on board (1), as one of Her Complement, some Person duly authorized by Law to practise in this Kingdom as a Physician, Surgeon, or Apothecary; and in case of every Default the Owner shall incur a Penalty not exceeding One hundred Pounds.

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What Ships to
carry Surgeons.

Sect. 19. And whereas in and by the said Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth it was provided, that as soon as conveniently might be after the passing of that Act there should be established in the Port of *London* an Office to be called "The General Register Office of Merchant Seamen," which should consist of a Registrar and such Assistants and Clerks, with such Salaries and Allowances as should be fixed and regulated from Time to Time by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United

Maintenance of
a General
Register and
Record Office
of Seamen.

(1) See 8 Vict. c. 14. § 1., by which Vessels carrying Passengers from the United Kingdom or the Channel Islands or Man to the East Coast of the Continent of North America are exempted from this Regulation.

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Kingdom for the Time being; and that such Office should be kept at the Custom House of the said Port, and daily Attendance be given thereat during the usual Hours of Business there; and that the said Registrar, his Assistants and Clerks, should be under the Control and Directions of the said Lord High Admiral or the Commissioners for executing the Office aforesaid for the Time being: And whereas such Office was established under and in pursuance of the said Act, and it is expedient to maintain and continue the same under the Title of "The General Register and Record Office of Seamen;" be it therefore enacted, That such Office, Salaries, and Allowances, with every thing appertaining to the said Office, shall be maintained and continued in manner and form, and subject to such Regulations, Directions, and Control as the said Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being have directed or shall direct; and the said Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being shall have Power to fix and regulate such Fees as he or they may deem proper to be paid by the Applicants for the Inspection and Copies of Documents in the said Office.

Register
Tickets to be
procured.

Sect. 20. And be it enacted, That every Person, being a Subject of Her Majesty, intending to serve on board any Ship subject to the Provisions of this Act (except as Master or Physician, Surgeon or Apothecary), shall and he is hereby required to provide himself with a Register Ticket, and for that Purpose to apply personally at the General Register and Record Office of Seamen in *London*, or at the Custom Houses of the several Outports of the United Kingdom; and every Applicant is hereby required to answer truly, to the best of his Ability, all the Questions set forth in Schedule (F.) to this Act annexed, before he shall be entitled to receive his Register Ticket; and no Person shall serve in any Capacity on board any Ship subject to any of the Provisions of this Act (except the Master, Physician, Surgeon, or Apothecary) who is not possessed of such Register Ticket; and the Masters of all Apprentices who shall be bound after the Commencement of this Act, or whose Apprenticeship shall be in force when this Act takes effect, shall, before commencing a Voyage, bring all Indentures and Assignments of Apprenticeships, together with the Apprentices themselves, to the Registrar of Seamen in *London*, or to the Custom House of the nearest Port, in order that each of such Apprentices may be furnished with a Register Ticket, which Ticket shall be annexed and be kept annexed to the original Indenture retained by the Master, and shall be delivered up to the Apprentice by the Master at the Expiration of the Apprenticeship; and the Registrar of Seamen and the Collectors and Comptrollers of Customs respectively are

Masters to bring
Indentures and
Apprentices to
the Registrar to
obtain Tickets.

hereby required to grant such Tickets to all Seamen and other Persons requiring the same, and duly complying with the Provisions aforesaid.

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Sect. 21. And be it enacted, That if any Person shall alter or destroy a Register Ticket, or counterfeit, transfer, or traffic in, for Gain or otherwise, or attempt to counterfeit, transfer, or traffic in, for Gain or otherwise, any Register Ticket issued or purporting to be issued pursuant to the Provisions of this Act, he shall for every such Offence be guilty of a Misdemeanor; and any Person becoming possessed of a Register Ticket, other than that legally issued to him, shall forthwith transmit the same to the Registrar of Seamen, and in case of Default he shall for every such Offence forfeit and pay a Sum of Twenty Pounds.

Altering, &c. a
Register Ticket,
Misdemeanor.

Penalty of 20*l*.
if Ticket be not
transmitted.

Sect. 22. And be it enacted, That if any Seaman shall lose his Register Ticket he shall forthwith appear in Person, and represent his Case to the Registrar of Seamen in *London*, or the Collector or Comptroller of Customs at any of the Outports; and he shall truly answer all reasonable Questions put to him by the said Registrar or Officer of Customs; and if it appear that no Fraud has been committed, and the Loss was unavoidable, he shall be furnished with another Register Ticket; but if it appear that the Seaman did not take due and reasonable Care of his former Ticket, or if he shall not give a satisfactory Account of the same, he shall be liable to a Penalty of not exceeding Ten Shillings and not less than Two Shillings, and shall not be entitled to any other Ticket until such Penalty shall be paid; and every Person who shall apply for any Ticket, and shall give a false Answer to any reasonable Question which may be put to him by the Registrar of Seamen, or his Assistant, or by the Collector or Comptroller of Customs, with reference to the granting such Ticket, shall be guilty of a Misdemeanor.

When Register
Ticket is lost.

Penalty.

False Answer
a Misdemeanor.

Sect. 23. And be it enacted, That all District Registrars of Births, Deaths, and Marriages shall and they are hereby required to demand from the Person registering the Death of any Seaman the Register Ticket of such Seaman, and, if delivered to any such Registrar, he shall forthwith forward the same to the Registrar of Seamen; and no Person, other than the said Registrar of Seamen, shall retain the Ticket of a deceased Seaman; and if any Person shall retain any such Ticket for more than Twenty Days after the Death of any such Seaman, or Ten Days after the Arrival of the Ship in the United Kingdom should the Seaman die abroad, he shall be liable to a Penalty of not exceeding Five Pounds in respect of every such Register Ticket so detained.

Register
Tickets
Parties dead.

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List of cancelled Tickets to be prepared by Registrar, and published half-yearly, and Copies given thereof on Application.
Penalty for using cancelled Ticket, &c.

Sect. 24. And be it enacted, That a List shall be prepared from Time to Time by the Registrar of Seamen, setting forth the Numbers of all the Register Tickets that have been cancelled by reason of the Death of Seamen or otherwise within the preceding Six Calendar Months; and such Lists shall be published half-yearly in the *London Gazette*, and shall also be transmitted by the said Registrar from Time to Time to the Collectors and Comptrollers of Customs, to be by them conspicuously exhibited in the Custom Houses and other Stations of their respective Ports, and Copies of such Lists shall be delivered to any Master or Owner on Application; and every Master or Owner entering into an Agreement with any Seaman producing such cancelled Ticket shall be liable to and incur a Penalty of not exceeding Five Pounds; and every Seaman tendering or delivering to a Master a cancelled Ticket, or any other Ticket not legally issued to him, or falsely representing himself to be a Foreigner, shall forfeit to the Owner all Wages which shall become due to him during the Service, for which he shall agree or shall have agreed.

Papers and Documents to be recorded.

Certified Copies to be Evidence.

Sect. 25. And be it enacted, That Duplicates of all Register Tickets, and all Papers and Documents delivered or transmitted to and retained by the said Registrar, shall be by him recorded, preserved, and kept; and every Copy of such Duplicate Tickets, Papers, and Documents, or any of them, certified by the said Registrar or his Assistant to be a true Copy, shall be admitted in Evidence as fully as the Original thereof; and every Copy of a Document and Endorsement thereon, which may be delivered by any Owner or Master under the Provisions of this Act, shall and may be admitted in Evidence against such Owner and Master, and each of them, as fully as the Original of such Document and Endorsement.

Masters of Ships trading abroad to deliver Lists of their Crews on their Departure and Return.

Sect. 26. And be it enacted, That the Master of every Ship belonging to any Subject of Her Majesty, and bound to Parts beyond the Seas, except in the Cases herein-after mentioned (1), shall, before he leaves his first Port of Departure from the United Kingdom, transmit or deliver, or cause to be transmitted or delivered, to the Collector and Comptroller of Customs at such Port, a List, signed by himself, of the Names of his Crew (including Apprentices), with the Numbers of their Register Tickets, and the Capacity in which they are serving on board, in the Form set forth in Schedule (G.) to this Act annexed; and if any subsequent Change in his Crew take place before finally leaving the United Kingdom the Owner or Master shall, upon such Change taking place, apprise the Collector and

(1) See § 27. as to Voyages to the Channel Islands, and to Places between the Elbe and Brest.

Comptroller of the Customs at the Port where it occurs, by transmitting an amended List in the same Form; and the Master or Owner of every such Ship shall, within Forty-eight Hours after the Arrival of such Ship at her final Port of Destination in the United Kingdom, transmit or deliver, or cause to be transmitted or delivered, to the Collector or Comptroller of the Customs at such Port, an Account or List, signed by himself, of all the Seamen and others (including Apprentices) who shall have belonged to the Ship at any Time during her Absence from the United Kingdom; which Account or List shall contain a full, true, and correct Return under their respective Heads of the several Particulars expressed in the Forms set forth in the Schedule annexed to this Act, and marked (C.), with Christian Names and Surnames of the Master and all the Crew at full Length, and with the Dates of the Registry of the Indentures of the Apprentices, and the Assignments respectively, and the Port at which and the Time when they were respectively registered, and also the Numbers of the Register Tickets of every Apprentice and Seaman; and no Vessel shall be cleared inwards by the Tide Surveyor or other Officer until the Master or Owner shall produce a Certificate from the Collector or Comptroller (which he is hereby required to give) to the Effect that he has rendered such Accounts or Lists as aforesaid; and the Tide Waiters or other Officers left on board shall be maintained at the Expence of the Master or Owner until such Accounts or Lists shall be duly delivered as aforesaid.

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Vessels not to
be cleared
inwards until
List be rendered.

Sect. 27. And be it enacted, That within Twenty-one Days after the Thirtieth Day of *June* and the Thirty-first Day of *December* in each Year the Master or Owner of every Ship belonging to a Subject of Her Majesty, of whatever Tonnage, employed in fishing on the Coasts of the United Kingdom or elsewhere, other than in the *South Sea, Greenland, and Newfoundland* Fisheries, or in proceeding from one Part of the United Kingdom to another, and every Ship proceeding or making Voyages to any of the Islands of *Jersey, Guernsey, Alderney, Sark, and Man*, or to any Port on the Continent of *Europe*, between the River *Elbe* inclusive and *Brest*, shall deliver or transmit, or cause to be delivered or transmitted, to the Collector or Comptroller of the Customs of any Port of the United Kingdom, an Account, signed by such Master or Owner, of any Voyage or Voyages in which such Ship shall have been engaged during the preceding Half Year, ending on the respective Days above mentioned, and setting forth legibly and at full Length the Christian and Surnames of the several Persons (including the Master and Apprentices) who shall have belonged to the Ship at any Time during such Periods respectively; which Account shall be in the Form and shall contain a true and correct Return under their respective Heads of the several

Masters of Ships
in the Home
and Fishing
Trade to return
Lists half-
yearly.

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Vessels not to receive Transire until Lists be delivered.

Owners of Vessels unemployed, or not requiring Customs Document, to notify same.

Penalty for Default.

Particulars expressed in the Schedule marked (D.) to this Act annexed, with the Dates of the Registry of the Indentures of Apprenticeship and Assignments respectively, and the Ports at which and the Time when they were respectively registered, and the Numbers of the Register Tickets of every Seaman and Apprentice; and no Master or Owner shall be entitled to or receive a Transire or other Customs Document necessary to enable him to conduct the Business of his Ship, after the Expiration of the said Twenty-one Days, until he shall produce and show a Certificate from such Collector or Comptroller (which he is hereby required to give), to the Effect that he has delivered such an Account; and in the Case of Ships of all Descriptions which may be unemployed for Six Months, or which may be employed and not require a Transire or other Customs Document, the Master or Owner shall notify the same to such Collector or Comptroller within such Twenty-one Days, and in case of every Default the Master or Owner shall be liable to a Penalty of Ten Pounds; and all Collectors and Comptrollers of Customs of the Ports to which the Vessels belong shall transmit a List of all such Ships, and of all Ships of every Description registered or licensed, or whose Registers or Licences have been transferred or cancelled in their respective Ports within each Half Year ending as aforesaid, to the said Registrar at the said Office, on or before the First Day of *February* and the First Day of *August* in each Year respectively.

Return to be made in case of Ship lost or sold abroad.

Sect. 28. And be it enacted, That in case any Ship belonging to any Subject of Her Majesty shall be lost, sold, or transferred, an Account, containing a similar Return as required in the several and respective Cases before mentioned, made out up to the Period of such Loss, Sale, or Transfer, shall, if practicable, be delivered or transmitted by the Master or Owner at the Time of the Loss, Sale, or Transfer to the Collector or Comptroller of the Port to which the Ship belongs, with all convenient Speed, and in case such Loss, Sale, or Transfer shall take place out of the United Kingdom, within Twelve Calendar Months at furthest after the Loss, Sale, or Transfer of the Ship.

Lists, &c. to be transmitted to the Registrar.

Sect. 29. And be it enacted, That all Indentures, Counterparts, Assignments, Lists, Accounts, Returns, Papers, Register Tickets, and Documents by this Act required to be delivered to the Collectors or Comptrollers as aforesaid shall be by them transmitted to the said Registrar for the Purposes of this Act at the End of every Week, unless otherwise specified in this Act; and every Owner or Master who shall refuse or neglect to transmit, deliver or cause to be delivered, any List, Account, Register Ticket, or other Document, as required by this Act, shall for every such Refusal or Neglect forfeit and pay the Sum of Ten Pounds.

Penalty on the Owner or Master for Neglect.

Sect. 30. And be it enacted, That all Agreements, or Copies thereof, Lists, Returns, Register Tickets, and other Documents, which under the Provisions of this Act are required to be transmitted or delivered to the Collectors or Comptrollers of Customs of the several Ports in the United Kingdom, shall, in the Case of Pleasure Yachts, be transmitted or delivered by the Masters or Owners of such Yachts direct to the Registrar of Seamen, and the Owners or Masters thereof shall be liable to the same Penalties for Default as herein provided in the Cases of the Masters or Owners of other Ships failing to transmit or deliver such Documents to such Collectors and Comptrollers.

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SEAMEN.

Lists, &c. in the
Case of Pleasure
Yachts to
be transmitted
to the Registrar.

Sect. 31. And be it enacted, That whenever any Seaman, being abroad, shall die elsewhere than on board a Ship belonging to any Subject of Her Majesty, leaving any Money or Effects not on board his Ship, it shall be lawful for Her Majesty's Consul or Vice Consul at or nearest to the Place, and he is hereby required, to claim and take charge of all such Money and Effects, and to dispose of the said Effects, if he shall so think fit, and after deducting all necessary and proper Charges and Expences incurred in the collecting thereof, or by or on account of such Seaman, to remit the Balance, with a full Account of such Money or Effects, to the President and Governors of the Corporation "For the Relief and Support of sick, maimed, and disabled Seamen, and of the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service," to be by such President and Governors paid over and disposed of, in the same Manner and under the same Regulations as are provided by an Act passed in the Fifth Year of His late Majesty King *William the Fourth*, intituled *An Act to amend an Act of the Twentieth Year of His Majesty King George the Second, for the Relief and Support of sick, maimed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service; and for other Purposes*, with respect to the Wages of Seamen dying on board Merchant Ships; and in case any Seaman dying abroad shall leave on board his Ship any Money, Clothes, or other Effects, or be entitled to any Wages, the Master of the said Ship shall and he is hereby required to deposit the same, or the Proceeds arising therefrom, with, and to pay such Wages to, the President and Governors aforesaid, to be by them disposed of in the same Manner as is provided by the said Act with respect to the Wages of Seamen dying on board Ship, and to transmit to the said President and Governors at the same Time a full Account of such Effects and Wages; and on Failure the Master shall forfeit a Sum not exceeding Fifty Pounds, in addition to being accountable for such Money, Clothes, Effects, and Wages; and in all Cases of a Seaman dying abroad the Master shall, on his Ship's Return to the United Kingdom, deliver up to the said President and Governors the Register Ticket of such deceased

As to the Disposal of the Effects of any Seaman dying abroad.

4 & 5 W. 4, c. 52.

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Seaman, and the said President and Governors, on the Receipt thereof, shall transmit the same to the Registrar of Seamen.

Parish Boys
may be put out
Apprentices to
the Sea Service.

Sect. 32. And be it enacted, That it shall be lawful for the Overseers of the Poor, or other Persons having the Authority of Overseers of the Poor, in and for any District, Union, Parish, Township, or Place in the United Kingdom, and they are hereby empowered, to bind by Indenture, according to the Form set forth in Schedule (H.) to this Act annexed, and put out as an Apprentice in the Sea Service to any of Her Majesty's Subjects, being the Owner of any Ship registered or licensed in any Port of the United Kingdom, any Boy having attained the Age of Twelve Years, and of sufficient Health and Strength, who or whose Parent or Parents is or are chargeable to or maintained by any such District, Union, Parish, Township, or Place, or who shall beg for Alms therein, with his Consent, but not otherwise; and until such Boy shall attain the Age of Twenty-one Years, or shall have served as Apprentice Seven Years, or whichever shall first happen, such Binding shall be effectual to all Intents and Purposes: Provided always, that where any such Parish, Township, or Place separately maintaining its own Poor shall be included in any Union, or shall be under the Management of a Board of Guardians, no such Binding shall be valid unless the Guardians of such Union, Parish, or other Place respectively shall previously have given their Consent thereto, by causing their official Seal to be affixed to the Indenture, and the same to be signed by the presiding Chairman of the Board at any Meeting, and the Clerk or Person acting as such at such Meeting; and provided also, that every such Binding shall be made in the Presence of any such Boy, and of Two Justices of the Peace, who shall execute the Indenture in testimony of their being satisfied that such Boy hath consented so to be bound, and attained the Age, and is of sufficient Health and Strength as required by this Act; and the Age of every such Boy shall be truly inserted in his Indenture, and the Age of every such Boy so inserted therein shall (in relation to the Continuance of his Service) be taken to be his true Age, without any further Proof thereof; and any Certificate of Baptism of such Boy which may be required shall be given and attested by the officiating Minister without Fee or Reward: Provided always, that no Apprenticeship to the Sea Service, whether Parish or otherwise, shall be binding after the Apprentice shall have attained the Age of Twenty-one Years; and that every Indenture, together with his Register Ticket annexed thereto, shall be given up to such Apprentice on his attaining such Age, or at the Expiration of his Apprenticeship, whichever shall first happen, by the Person to whom he shall be bound at the Time, under a Penalty of Twenty Pounds, to be paid by such Person on default; but should any Apprenticeship, Parish or otherwise, expire during a Voyage,

No Apprenticeship binding after Apprentice shall have attained Twenty-one.

Apprenticeships to continue

and before the Ship's Arrival at her final Port of Destination in the United Kingdom, such Apprenticeship shall, notwithstanding, continue until the Return of the Ship to her final Port of Destination in the United Kingdom; but after One Calendar Month from the Expiration of such Apprenticeship the Apprentice shall be paid the same Wages as an able-bodied Seaman or ordinary Seaman of the said Ship, according to his Qualification.

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until the Return of the Ship, and Apprentice to be paid Wages.

Sect. 33. And be it enacted, That it shall be lawful for any Master or Person to whom any Parish Apprentice shall have been or shall be hereafter bound to a Service on shore, according to the Statutes for the Time being relating to such Apprentices, or for the Executors or Administrators, or, there being none such, for the Widow of any deceased Master, with the Concurrence of Two or more Justices of the Peace in and for the County, District, or Place where such Boy shall have been bound Apprentice, to assign such Boy, with his Consent, to be given in the Presence of such Justices, but not otherwise, as Apprentice to any such Owner as aforesaid, to be employed in the Sea Service during the Period then remaining unexpired of his Apprenticeship; and every such Assignment shall be attested as next herein-after mentioned.

Parish Apprentice may be turned over to the Sea Service.

Sect. 34. And be it enacted, That in the event of the Bankruptcy, Insolvency, or Death of the Master of any such Parish Apprentice to the Sea Service, it shall be lawful for such Master, or the Executors or Administrators of such Master, or, there being none such, for the Widow of such deceased Master, to assign the Indenture of any such Apprentice for the Residue of the Term then unexpired therein to any other Owner of any such Ship: Provided always, that such Assignment, if executed within the Limits of the Port of *London*, shall be attested by the said Registrar, his Assistant, or one of his Clerks, and if executed at any other Port, by the Collector or Comptroller of the Customs of such Port.

Indentures may be assigned on the Death of the Master.

Sect. 35. And be it enacted, That such Overseers, Guardians, or other Persons as aforesaid shall cause the Indenture of Apprenticeship to be prepared and transmitted in Triplicate; (that is to say,) Two Counterparts, besides the Indenture, to the said Registrar, if the Owner of the Ship to whom such Apprentice is to be bound shall be or reside within the Limits of the Port of *London*, and if at any other Port, to the Collector or Comptroller of the Customs at such Port; and shall cause each such poor Boy to be conducted and conveyed to such Port or Place by a Constable or other trustworthy Person, at the Expence of the District, Union, Parish, Township, or Place; and when any such Boy shall be so bound he shall be provided by the Guardians of the said Union or Parish as afore-

Parish Officers to prepare Indentures.

Constable to convey the Apprentice.

Guardians or Overseers to

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provide Cloth-
ing, &c.

said, or, in case the said Parish or Place shall not be included in any Union or governed by a Board of Guardians, by the Overseers, with a sufficient Outfit of Sea Clothing, Bedding and similar Necessaries, to the Value of Five Pounds, which said Amount, together with the Expences to be incurred in the binding and Conveyance of the said Boy, shall be charged by such Guardians or Overseers respectively to the Account of the Parish or other Place by whose Overseers the said Boy shall be bound, and be allowed to them in their Account; and the said Indentures so entered into by the Overseers of any Parish or other Place as aforesaid may be sued upon in the Name of the Overseers of the Poor of the said Parish or other Place for the Time being, by their Name of Office; and no Action commenced for the Breach of any Covenant therein contained, with the Consent of the Vestry of such Parish or Place, shall abate by reason of Death or any Change of Overseers of such Parish or Place pending the same, but shall be proceeded in by the Overseers for the Time being, who shall be entitled to charge the whole Amount of the Costs incurred in such Action, and not recovered from the Defendant therein, upon the Poor Rates collected by them, though Part of such Costs shall have been incurred by their Predecessors.

How Inden-
tures to be
attested.

Sect. 36. And be it enacted, That such Indentures shall be executed in the Presence of and attested by the Constable or other Person who shall conduct or convey such Apprentice; and such Indentures shall bear Date respectively on the Days on which they are executed; and such Constable or other Person shall transmit one of the said Counterparts, duly executed, to the Overseers, Guardians, or other Persons aforesaid, one to the Master, and another to the said Registrar.

Every Ship,
except Pleasure
Yachts, to have
Apprentices
according to
her Tonnage :

Sect. 37. And be it enacted, That the Master or Owner of every Ship belonging to any Subject of Her Majesty, and of the Burden of Eighty Tons and upwards (except Pleasure Yachts), shall have on board at the Time of her proceeding from any Port of the United Kingdom, and at all Times when absent from the United Kingdom, or navigating the Seas, One Apprentice, or more, in the following Proportion to the Number of Tons of his Ship's Admeasurement, according to the Certificate of Registry; (that is to say,) for every Ship of Eighty Tons and under Two hundred Tons, One Apprentice at the least; for every Ship of Two hundred Tons and under Four hundred Tons, Two Apprentices at the least; for every Ship of Four hundred Tons and under Five hundred Tons, Three Apprentices at the least; for every Ship of Five hundred Tons and under Seven hundred Tons, Four Apprentices at the least; and every Ship of Seven hundred Tons and upwards, Five Apprentices at the least; all of whom, at the Period of their being bound respectively, shall be Subjects of

To be Subjects
of Her Majesty :

Her Majesty, and above Twelve and under Seventeen Years of Age, and be duly bound for the Term of Four Years at the least; and if any such Master or Owner shall neglect to have on board his Ship the Number of Apprentices as hereby required, together with their respective registered Indentures, Assignments, and Register Tickets, he shall for every such Offence forfeit and pay the Sum of Ten Pounds in respect of each Apprentice, Indenture, Assignment, or Register Ticket so wanting or deficient.

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Their Age and
Term of Ap-
prenticeship.

Penalty for De-
ficiency of Ap-
prentices, &c.

Sect. 38. And be it enacted, That in case any Indentures of Apprenticeship of any Description shall be cancelled, or any Apprentice, Parish or otherwise, shall die on shore or desert, or by reason of the Vessel of the Master not having made a Voyage for Six Months shall not be reported in either of the said Lists, such Cancellation, Death, Desertion, or Non-employment shall forthwith be notified in Writing by the Master of the Apprentice to the said Registrar, if the Ship on board which the Apprentice was bound to serve shall belong to the Port of *London*, or otherwise to the Collector or Comptroller of the Port to which the said Ship shall belong; and for every Default the said Master shall be liable to a Penalty of Ten Pounds; and the Collector or Comptroller, if the Notification be made to him, shall transmit the same to the said Registrar within One Week from the Receipt thereof; and no cancelling of any Indenture of Apprenticeship of any Description shall be valid or effectual without the mutual Consent of the Parties, or without the Consent or in the Absence of the Registrar of Seamen in *London*, or of the Collector or Comptroller of Customs of the Port in which such Cancellation shall take place, or, in case of Bindings by the Overseers, without the additional Consent of the Guardians of the Union or Parish whose Consent was given to the said Binding, to be testified by a Copy of a Minute of the Board forwarded by the Clerk to the said Guardians.

The cancelling
of Indentures,
and Death or
Desertion of
Apprentices, to
be notified.

Penalty.

Consents neces-
sary in cancel-
ling Indentures.

Sect. 39. And be it enacted, That the said Registrar in *London*, and the Collector and Comptroller of the Customs at each other Port, shall, in a Book to be kept for that Purpose, cause to be entered from Time to Time all such Indentures and Assignments of Parish Apprentices as aforesaid, specifying therein the Dates thereof, the Names and Ages of the Apprentices, the Parishes or Places from whence they are sent, the Names and Residences of their Masters to whom they are bound or assigned, and the Names, Ports, and Burden of the respective Ships to which such Masters belong, and shall make and subscribe on each Indenture and Assignment an Endorsement, purporting that the same hath been duly registered pursuant to this Act; and such Registrar, Collectors, and Comptrollers respectively shall require the personal Attendance of every such Apprentice at the Time of registering his Inden-

Indentures and
Assignments of
Parish Appren-
tices to be regis-
tered.

Apprentices to
appear person-
ally when In-

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—
dentures or
Assignments
registered.

Indentures and
Assignments of
other Appren-
tices to be
registered.

As to Assign-
ment of Inden-
tures of Appren-
tices.

Assignments to
be registered.

Apprentices
exempted from
Contributions.

ture or Assignment thereof; and every such Collector and Comptroller shall also, at the End of each Week, transmit a List of the Indentures and Assignments and Cancellations so registered by him within the Week, containing all the Particulars aforesaid, to the said Registrar.

Sect. 40. And be it enacted, That in every Case of a Person (other than such Parish Apprentice as aforesaid) binding himself Apprentice to the Sea Service the Indentures to be executed on such Occasion shall be in Duplicate, in the Form set forth in Schedule (I.) to this Act annexed, and a Counterpart shall be delivered to the said Registrar, if the Master shall be or reside within the Port of *London*, or if at any other Port, to the Collector or Comptroller of such Port; and the Indentures shall be registered in a Book to be kept for that Purpose by the said Registrar, Collectors, and Comptrollers respectively, in which Book shall be expressed the Dates of the several Indentures, the Names and Ages of the Apprentices, the Names and Residence of their Masters, and (if known) the Names, Port, and Burden of the several Ships on board which they are respectively to serve; and such Registrar, Collectors, and Comptrollers respectively shall require the personal Appearance of every such Apprentice at the Time of registering his Indenture or the Assignment thereof, and shall endorse and subscribe upon each Indenture a Certificate purporting that the same hath been duly registered pursuant to this Act; and the said Collectors and Comptrollers shall also at the End of each Week transmit a List of the Indentures and Assignments registered by them within the Week, containing all the Particulars aforesaid, together with the said Counterparts to the said Registrar, for the Purposes of this Act; and that it shall be lawful for the Master of such Apprentice, or in case of his Death his Executor or Administrator, with the Consent of the Apprentice if of the Age of Seventeen Years or upwards, and if under that Age with the Consent of his Parent or Guardian, to assign or transfer the Indenture of any such Apprentice to any other Master or Owner of any registered Ship; and all such Apprentices may during the Term for which they shall be bound be employed in any Ship of which the Master for the Time being of any such Apprentice may be the Master or Owner: Provided always, that every such Assignment shall be registered and endorsed by the said Registrar, or by the Collector or Comptroller of the Customs at the Port where the Master shall be, or to which his Ship shall belong; and the said Collector or Comptroller shall notify the same to the said Registrar, and transmit an exact Copy of the said Endorsement to the said Registrar.

Sect. 41. And be it enacted, That no Apprentice bound or assigned pursuant to this Act, nor any Master or Owner in

respect of such Apprentice, shall be liable to any Payment or Contribution to or towards any Hospital or Institution; and that all Agreements, attested Copies, Indentures, Assignments, Counterparts, and Tickets, made, signed, or executed in compliance with or under the Provisions of this Act, shall be wholly exempt from Stamp Duty.

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Documents
exempted
from Duty.

Sect. 42. And be it enacted, That if any Master or Owner to whom any Apprentice to the Sea Service shall be bound or assigned shall neglect to deliver a Counterpart, and cause the Indenture or the Assignment (as the Case may be) to be registered as required by this Act, so far as depends on such Master or Owner, within Ten Days after the Binding or Assignment, every such Master or Owner shall for every such Neglect forfeit and pay the Sum of Ten Pounds; and if any such Master or the Master of any Ship shall, after the Ship shall have proceeded on the Voyage upon which such Ship may be bound, permit any Apprentice to quit his Service or the Service of the Ship except for the Purpose of entering into Her Majesty's Naval Service, every such Master shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Penalty on
Masters neg-
lecting to
register, &c.
Indentures.

and for suffering
Apprentices
to quit their
Service.

Sect. 43. And be it enacted, That any Justice of the Peace residing at or near to any Port to which any Ship as aforesaid, having on board thereof any Apprentice, shall at any Time arrive, shall have full Power and Authority to inquire into and examine, hear, and determine all Claims of Apprentices upon their Masters under their Indentures, and all Complaints of hard or ill Usage exercised by their respective Masters towards any such Apprentices, or of Misbehaviour on the Part of any such Apprentices, and to proceed thereupon as One or more Justice or Justices of the Peace is or are empowered by Law to do in other Cases between Masters and Apprentices; and if the Master of any Ship shall not send on shore, in the Charge of the Mate or other trustworthy Person, any Apprentice desirous of complaining to a Justice of the Peace, so soon as the Service of the Ship will permit, he shall for every such Default forfeit and pay the Sum of Ten Pounds.

Justices to
determine
Complaints.

Sect. 44. And whereas by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for consolidating and amending the Statutes in *England* relative to Offences against the Person, a summary Jurisdiction is provided for the Punishment of Persons guilty of common Assaults and Batteries: And whereas it is expedient that the Provisions of the last-mentioned Act should extend to similar Offences committed on board Ships belonging to Subjects of Her Majesty; be it therefore enacted, That in the Case of any Assault or Battery committed on board any Ship belonging to any Subject of Her Majesty in any Part of the World, it shall be lawful for

Common
Assaults may
be summarily
punished by
Two Justices.

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any Two Justices of the Peace in any Part of Her Majesty's Dominions, or the Territories under the Government of the *East India* Company, residing at or near any Port or Place at which the said Ship may arrive or touch, upon Complaint of the Party aggrieved, to hear and determine any such Complaint, and to proceed and make such Adjudication thereon as by the said Act any Two Justices are empowered to do in the Cases of Assaults and Batteries in *England*; and the Fine or Forfeiture to be imposed in any such Case shall be payable to the Seamen's Hospital Society: Provided always, that such Complaint shall be made and prosecuted within Three Months after such alleged Assault or Battery, or within Three Months after the Arrival of the Ship at her final Port of Destination in the United Kingdom, or within Three Months after the respective Parties shall be within the Jurisdiction of such Justices as aforesaid.

Masters entitled to receive the Wages, &c. of Apprentices entering into the Navy.

Sect. 45. And be it enacted, That no Apprentice to the Sea Service shall be at liberty to enter into the Naval Service of Her Majesty during the Period of his Apprenticeship without the Consent of his Master; but if, nevertheless, he shall voluntarily enter into such Naval Service of Her Majesty, and shall be allowed by his Master to continue therein, such Master, in case he shall give Notice to the Secretary of the Admiralty of his Consent to his Apprentice remaining in Her Majesty's said Service during the Residue of the Term of his Apprenticeship, shall, upon the Production of the Indenture and Assignment (if any), if duly registered, and having the Register Ticket attached, be entitled to receive to his own Use any Balance of Wages and Prize Money that may become due and payable to any such Apprentice until the Expiration of his Apprenticeship.

No Seamen to be discharged abroad, nor to be abandoned, or left behind, without Sanction of Consul, &c.

Sect. 46. And whereas great Mischiefs have arisen from Masters of Merchant Ships leaving Seamen in Foreign Parts, who have been thus reduced to Distress and thereby tempted to become Pirates or otherwise misconduct themselves, and it is expedient to amend and enlarge the Law in this Behalf; be it therefore enacted, That if any Master of a Ship belonging to any Subject of Her Majesty shall discharge any Person belonging to his Ship or Crew at any of Her Majesty's Colonies or Plantations, without the previous Sanction in Writing (to be endorsed on the Agreement) of the Governor or other Officer holding the chief Authority there, or of the Secretary or other Officer duly appointed by the Government there in that Behalf, or in the Absence of such Functionaries then of the Chief Officer of Customs resident at or near such Port or Place, or shall discharge any such Person at any other Place abroad without the like previous Sanction, to be so endorsed on the Agreement by Her Majesty's Minister, Consul, or Vice Consul there, or in the Absence of any such Functionary then of Two respectable Merchants resident there, such Master shall be guilty of a Mis-

demeanor; or if any Master of any such Ship shall abandon or leave behind at any such Colony or Plantation any Person belonging to his Ship or Crew, on the Plea or Pretence of Unfitness or Inability to proceed upon the Voyage, or of Desertion or Disappearance from the Ship, without a previous Certificate in Writing (to be endorsed on the Agreement) of the Governor, Secretary, or other Officer as aforesaid, or in the Absence of such Functionary then of the Chief Officer of Customs resident at or near such Port or Place, certifying such Unfitness, Inability, Desertion, or Disappearance, or shall abandon or leave behind any Person belonging to his Ship or Crew at any other Place abroad, on shore or at sea, upon such Plea or Pretence, without the like previous Certificate of Her Majesty's Minister, Consul, or Vice Consul there, or in the Absence of any such Functionary then of Two respectable Merchants, if there be any such at or within a reasonable Distance from the Place where the Ship shall then be, such Master shall be guilty of a Misdemeanor; or if any Master of any such Ship, in case any Person belonging to his Ship or Crew shall desert from the said Ship at any Place abroad, shall neglect to notify the same in Writing to one of such Functionaries as aforesaid, if there be any such resident at or near the Place, and in their Absence, if it be out of Her Majesty's Dominions, then to Two respectable Merchants, if there be such at or near the Place, within Twenty-four Hours of such Desertion, such Master shall be guilty of a Misdemeanor; and the said Functionaries are hereby authorized and required, and the said Merchants are authorized, to examine into the Grounds of such proposed Discharge, or into the Plea or Pretence of such Unfitness, Inability, Desertion, or Disappearance as aforesaid, in a summary Way, upon Oath (which Oath they are hereby respectively authorized to administer), and to grant or refuse such Sanction or Certificate according to the Circumstances, and as it shall appear to them to be just.

Sect. 47. And be it enacted, That if the Master of any Ship belonging to any of Her Majesty's Subjects, or the Mate or other Officer of such Ship, shall wrongfully force on shore and leave behind, or shall otherwise wilfully and wrongfully leave behind on shore or at sea, in or out of Her Majesty's Dominions, any Person belonging to his Ship or Crew, before the Completion of the Voyage for which such Person was engaged, or the Return of the Ship to the United Kingdom, such Master, Mate, or other Officer shall be guilty of a Misdemeanor; and every Misdemeanor mentioned or created by this Act shall and may be prosecuted by Information at the Suit of Her Majesty's Attorney General, or by Indictment or other legal Proceeding in any Court having Criminal Jurisdiction in Her Majesty's Dominions at home or abroad; and the Offence may be laid and charged in the said Information, Indictment, or other legal Proceeding to have been committed in the County or Place where

Forcing Seamen on shore, &c. a Misdemeanor.

Where Misdemeanors may be prosecuted.

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the Offender shall happen to be, who, being convicted thereof, shall be liable to Fine or Imprisonment, or both, as to the Court before whom he is tried shall seem meet; and every Court is hereby authorized to issue a Commission or Commissions for the Examination of any Witness or Witnesses who may be absent or out of the Jurisdiction of the Court; and at the Trial the Depositions taken under such Commission or Commissions, if such Witness or Witnesses shall be then absent, shall be received in Evidence.

If any of the Crew are left behind, the Proof of Sanction or Authority to be upon the Master.

Sect. 48. And be it enacted, That if any Master shall, contrary to the Provisions of this Act, discharge, abandon, or leave behind any Seaman or other Person belonging to the Ship or Crew, with or without his Consent, it shall be incumbent on such Master, in any Information, Indictment, or other Proceeding against him, to produce or prove such Sanction or respective Certificate as aforesaid, or prove the Impracticability of obtaining such Certificate.

Seamen, when allowed to be left behind, to be paid their Wages.

Sect. 49. And be it enacted, That every such Master who shall leave any Seaman or other Person as aforesaid on shore at any such Colony or Plantation or Place abroad, under a Certificate of his not being in a Condition to proceed on the Voyage, shall deliver to One of the said Functionaries, or if there be none such to any Two respectable Merchants there, or if there be but One then to such One Merchant, a just and true Account of the Wages due to such Person, and pay the same either in Money or by a Bill drawn upon the Owner; and if by Bill, then such Functionaries or Merchants are respectively authorized and required, by Endorsement on such Bill, to certify that the same is drawn for Money due on account of Seamen's Wages, or to that Effect; and any Master who shall refuse or neglect to deliver a just and true Account of such Wages, or to pay the Amount thereof in Money or by Bill as aforesaid, shall for every such Offence or Default forfeit and pay the Sum of Ten Pounds, and every Master who shall deliver a false Account of such Wages shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Act not to extend to prevent Seamen from entering into the Navy.

Sect. 50. Provided always, and be it enacted, That nothing in this Act or in any Agreement contained shall prevent any Seaman or Person belonging to any Ship or Vessel whatever from entering or being received into the Naval Service of Her Majesty, nor shall any such Entry be deemed a Desertion from the Ship or Vessel, nor shall such Seaman or other Person thereby incur any Penalty or Forfeiture whatever either of Wages, Clothes, or Effects, or other Matter or Thing; and no Master or Owner shall insert or introduce, or permit to be inserted or introduced, into any Articles or Agreement, any Clause, Engagement, or Stipulation whereby any Seaman or other Person shall or may incur any Forfeiture or be exposed

to Loss in case he shall enter into Her Majesty's Naval Service; and if inserted, the Clause, Engagement, or Stipulation shall be void, and the Offender shall thereby incur a Penalty of Twenty Pounds.

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Sect. 51. And be it enacted, That when any Seaman shall quit any such Ship or Vessel as aforesaid, in order to enter into Her Majesty's Naval Service, and shall thereupon be actually received into such Service, not having previously committed any Act amounting to and treated by the Master as Desertion, he shall be entitled immediately upon such Entry to have his Register Ticket and all his Clothes and Effects on board such Ship or Vessel delivered to him, and to receive from the Master the proportionate Amount of his Wages up to the Period of such Entry, to be paid either in Money or by a Bill on the Owner; all which Register Ticket, Clothes, Effects, Money, or Bill such Master is hereby required to deliver and pay to him accordingly, under a Penalty of Twenty Pounds for any Refusal or Neglect, to be recovered with full Costs of Suit by such Seaman; but in case the Master shall have no Means of ascertaining the Balance, he shall make out and deliver to such Seaman a Certificate of the Period of his Service, and the Rate of Wages he is entitled to, producing at the same Time to the commanding or other Officer of Her Majesty's Vessel the Agreement with the Seaman; and every such Master, upon the Delivery of such Register Ticket, Clothes, and Effects, and the Settlement of such Wages in manner herein mentioned, shall receive from the Officer in command of the Vessel into which the Seaman shall have entered a Certificate of such Entry, endorsed on the Agreement, and signed by the said Officer, which such Officer is hereby required to give.

Upon Entry of
Seamen into the
Navy from any
Ships they shall
be entitled to
the immediate
Delivery up
of their Clothes,
Register Tick-
ets, and Pay-
ment of any
Wages that
may be due.

Sect. 52. And be it enacted, That if any Person shall be discharged, or wilfully and wrongfully left behind or abandoned, at any Place beyond Seas, in or out of Her Majesty's Dominions, by any Master, Mate, or other Officer, contrary to the Provisions of this Act, and shall become distressed, and be relieved under the Provisions of an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth for amending and consolidating the Laws relating to the Pay of the Royal Navy, or any Act hereafter to be passed for that Purpose, or if any Person shall, as Principal or Agent, engage any Subject of Her Majesty to serve in any Vessel belonging to any Foreign Power, or to the Subject of any Foreign State, and such last-mentioned Person shall become distressed and be relieved as aforesaid, then, in addition to the Wages due from such Master or Owner or Person making such Engagement, and the Penalties to which such Master may be liable, Her Majesty shall be entitled to sue such Master or the Owner of the Ship, or any Person who shall have made such Engagement as aforesaid, at the Discretion of the Commissioners for

Power for Her
Majesty to sue
for the Amount
advanced for
the Relief of
Seamen left
abroad.

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executing the Office of Lord High Admiral of the United Kingdom, for all the Charges and Expences which shall have been incurred in or for the Subsistence, necessary Clothing, and Conveyance home or Burial (should he die abroad or before reaching home) of any such Seaman or Person relieved as aforesaid, as Money paid to the Use of such Master or Owner or other Person, who shall have made such Engagement as aforesaid, and recover the same, together with full Costs of the Suit, in the same Manner as other Debts due to Her Majesty are recoverable; and in any Proceeding for that Purpose Proof of the Account furnished to the said Commissioners by any such Functionaries, or by such Two Merchants, or One Merchant, according to the Case, as provided by the said Act of the Eleventh Year of King *George* the Fourth, shall, together with the Proof of Payment by the said Commissioners, or by the Paymaster General, of the Charges incurred on account of any such Person, be sufficient Evidence that such Person was relieved and conveyed home or buried at Her Majesty's Expence; and the Court in which any Proceeding for the Recovery of the said Money shall be instituted is hereby authorized to issue a Commission or Commissions for the Examination of Witnesses, and the Depositions taken under such Commission or Commissions shall be used as Evidence.

Ship's Agreement, Indentures, and Assignments of Apprenticeship and Register Tickets, on Arrival at a Foreign Port, to be deposited with the Consul, and at a Colony with the Officers of Customs.

Sect. 53. And be it enacted, That if any Ship belonging to a Subject of Her Majesty (except Packets for Passengers in the course of their Voyage) shall arrive at any Foreign Port where there shall be a *British* Consul or Vice Consul, or at any Port in a *British* Colony, and remain thereat for Forty-eight Hours, the Master shall, within Forty-eight Hours of the Ship's Arrival, deliver or cause to be delivered to such Consul or Vice Consul at such Foreign Port, or to the Collector or Comptroller of the Customs at such Port of a *British* Colony, the Agreement or Agreements before mentioned, together with an Account at the Foot of such Agreement of all Apprentices on board, setting forth their Christian and Surnames at full Length, the Dates of the Registry of their Indentures and Assignments respectively, and the Ports at which and the Time when they were registered, and also all Indentures and Assignments of Apprenticeships, and the Register Tickets of all the Crew who shall be Subjects of Her Majesty, the whole to be kept by such Consul or Vice Consul, Collector or Comptroller, as the Case may be, during the Ship's Stay in such Port, and (excepting the Register Tickets of Deserters, which are to be transmitted by such Functionaries to the Registrar of Seamen,) to be returned to the Master a reasonable Time before his Departure, with a Certificate endorsed on such Agreements respectively, stating when the same were respectively delivered and returned, without any Fee or Charge being made for the same; and in case it shall appear that the required Number of Apprentices are not on board, or that the required Forms or

Consuls to make
Endorsements
on Agreements.

existing Laws have been in any respect neglected or transgressed, such Consul or Vice Consul, Collector or Comptroller, shall make an Endorsement to that Effect on such Agreement, and forthwith transmit a Copy of such Endorsement, with the fullest Information he can collect regarding such Neglect or Transgression, to the said Registrar; and if any Master shall neglect to deliver any Agreement, Indenture, Assignment, or Register Ticket, or such Account as aforesaid, he shall for every such Neglect or Default forfeit and pay the Sum of Twenty Pounds; or if any Master shall deliver any false or incorrect Account, he shall for every such Offence forfeit and pay the Sum of Thirty Pounds.

MERCHANT
SEAMEN.

Penalty on
Masters for
Neglect, &c.

Sect. 54. And be it enacted, That no Seaman shall be shipped at any such Foreign Port by any such Master, except with the Sanction of such Consul or Vice Consul, to be endorsed or certified on the Agreement, under a Penalty of Twenty Pounds, to be forfeited by the Master for every Seaman so shipped.

No Seaman to
be shipped at a
Foreign Port
without the
Sanction of the
Consul.

Sect. 55. And be it enacted, That the Master of every Ship belonging to any Subject of Her Majesty shall and he is hereby required to produce and show the Log Book, Muster Roll of the Ship, and the Agreement or Agreements with his Crew, their Register Tickets, and the Indentures of his Apprentices, and the Assignments thereof, and a List of all the Passengers and Persons on board, to the Captain, Commander, or other Commissioned Officer of any of Her Majesty's Ships or Vessels requiring the Production and Sight thereof; and that it shall be lawful for any such Officer in Her Majesty's Naval Service to muster the Crew (including Apprentices) of any Ship belonging to any such Subject, in order to be satisfied that the Provisions of this Act, and every other Act by which the Crews of such Ships as aforesaid are regulated, and the Laws relating to Navigation, have been duly kept and complied with; and if any Master shall, upon being required so to do by any such Officer, neglect or refuse to produce such Log Book, Muster Roll, or Agreement, Register Tickets, Indentures, and Assignments, and Lists of Passengers and Persons, or any of them, or shall obstruct any Officer in the Execution of his Duty in mustering the said Crew, or shall produce any false Log Book, Muster Roll, or List, he shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Masters to pro-
duce Agree-
ment, &c. to
the Officers of
Queen's Ships.

Penalty.

Sect. 56. And be it enacted, That for the better carrying into effect the Purposes of this Act it shall be lawful for Her Majesty's Consuls and Vice Consuls in Foreign Ports, and for the said Registrar and his Assistant, and also for the respective Chief Officers of the Customs at the several Ports of the United Kingdom and of the *British* Possessions abroad, to demand from the Master of every Ship belonging to a Subject of Her Majesty the Production of the Log Book, Muster Roll of the

Consuls, Re-
gistrar, and
Officers of Cus-
toms empow-
ered to require
Production of
the Agreement,
Muster Roll,
&c.

MERCHANT
SEAMEN.

Penalty on
Master refusing
to produce.

Ship, and such Agreements, Register Tickets, Indentures, and Assignments as aforesaid, and a List of Passengers and Persons on board, and to muster the Crew (including Apprentices) of such Ship, and to summon the Master to appear before them, and give any Explanation they may respectively require regarding the said Crew, Ship, or Documents, for the Purpose of ascertaining whether the Provisions of this Act, and every other Act by which the Crews of such Ships as aforesaid are regulated, and the Laws relating to Navigation, have been kept and complied with, and to take Copies of all or any of such Documents; and if any such Master, on such Demand being made, shall refuse to produce such Log Book, Muster Roll, Agreements, Register Tickets, Indentures, and Assignments, and List of Passengers and Persons, or refuse to allow Copies to be taken, or shall refuse to permit his Crew to be so mustered, or shall refuse to appear and give such Explanation as aforesaid, or shall wilfully deceive or mislead the Person before whom he shall so appear, he shall for every such Neglect, Refusal, or Offence forfeit and pay the Sum of Twenty Pounds.

Survey of Pro-
visions, &c.

If Provisions
are found
insufficient, &c.

Sect. 57. And be it enacted, That it shall and may be lawful for any Consul or Vice Consul of Her Majesty, and for any Collector or Comptroller of the Customs, upon Complaint made by any Three or more of the Crew, to survey and examine, or cause to be surveyed and examined, the Provisions, Water, and Medicines put or supplied on board any Ship for the Use and Consumption of the Crew; and if on such Survey and Examination it shall be found that such Provisions, Water, or Medicines, are of a bad Quality, or unfit for Use, or not appropriate, or there shall not appear to be a sufficient Quantity thereof, the Surveying Officer shall signify the same in Writing to the Master of the Ship; and if such Master shall not thereupon provide other fit and proper Provisions, Water, or Medicines in lieu of any which may be signified by the said Surveying Officer to be of a bad Quality, or unfit for Use, or not appropriate, or if any such Master shall not thereupon procure the requisite Quantity of Provisions, Water, and Medicines, or shall use any Provisions, Water, or Medicines which shall have been signified by the Surveying Officer to be of a bad Quality, or unfit for Use, or not appropriate, he shall in each and every of such Cases be guilty of a Misdemeanor.

As to Offences
committed at
Foreign Ports.

Sect. 58. And be it enacted, That all Offences against the Property or Person of any Subject of Her Majesty, or of any Foreigner which shall be committed in or at any Port or Place, either ashore or afloat, out of the Dominions of Her Majesty, by the Master and Crew (including Apprentices), or any or either of them, belonging to any Ship subject to any of the Provisions of this Act, or who within Three Months before the Committal of the Offence shall have been the Master thereof,

or shall have formed Part of any such Crew, shall be and they are hereby declared to be Offences of the same Nature respectively, and to be liable to the same Punishments respectively, as if they had been committed on the High Seas and other Places within the Jurisdiction of the Admiralty of *England*, and shall be inquired of, heard, tried, and determined and adjudged in the same Manner as if such Offences had been committed within such Jurisdiction; and when any Trial for such Offences or for any Misdemeanor against the Provisions of this Act shall take place before any Justices or Judges of Oyer and Terminer and Gaol Delivery, it shall be lawful for the Court to order and direct the Payment of the Costs and Expences of the Prosecution, as in the Case of Costs and Expences of Prosecutions for Offences committed within the Jurisdiction of the Admiralty of *England*.

Sect. 59. And be it enacted, That whenever any Complaint shall be made to any of Her Majesty's Consuls or Vice Consuls of any such Offence or of any Offence having been committed at Sea by the Master and Crew (including Apprentices), or any or either of them, belonging to any Ship subject to any of the Provisions of this Act, it shall be lawful for any such Consul or Vice Consul to inquire into the Case, upon Oath, and at his Discretion to cause any Offender to be placed under all necessary Restraint, so far as it may be in his Power, so that he may be sent and conveyed in safe Custody to *England* as soon as practicable, in any Vessel of Her Majesty, or of any of Her Subjects, to be there proceeded against according to Law; and the Costs and Charges of imprisoning any such Offender, and of conveying him and the Witnesses to *England*, if not conveyed in the Ship to which they respectively belong, shall be considered and deemed as Part of the Costs of the Prosecution, or be paid as Costs incurred on account of seafaring Subjects of the United Kingdom left in Distress in Foreign Parts; and all Depositions taken before any Consul or Vice Consul abroad, and certified under his official Seal to be the Depositions, and that they were taken in the Presence of the Party accused, shall be admitted in Evidence in all Courts having Criminal Jurisdiction, and otherwise, in like Manner as Depositions taken before any Justice of the Peace in *England* now are or may be; and the Register Ticket of every Offender shall be delivered up to Her Majesty's Consul or Vice Consul, as the Case may be, and be transmitted by him to the Registrar of Seamen.

For the safe
Custody and
Conveyance of
Offenders to
England.

Sect. 60. And be it enacted, That it shall be lawful for any Consul or Vice Consul to order a Passage to *England* for any such Offender or Offenders under necessary Restraint, and also for the Witnesses; and the Master or other Person having the Charge of any Ship or Vessel belonging to any Subject of Her Majesty bound for *England* shall and he is hereby required to

As to the Con-
veyance of
Offenders and
Witnesses to
England.

MERCHANT
SEAMEN.

receive and afford a Passage and Subsistence during the Voyage to any such Offender or Offenders and Witnesses, not exceeding the Rate of One Offender or Two Witnesses for every One hundred Tons of his Ship's Burden; and on his Ship's Arrival in *England* the Master of any Vessel belonging to a Subject of Her Majesty shall take or cause to be taken the Offender or Offenders before a Justice of the Peace, who shall deal with the Matter as in Cases of Offences committed upon the High Seas; and in case the Master or other Person having the Charge of any Ship or Vessel belonging to any Subject of Her Majesty, when required by the Consul or Vice Consul to receive and afford a Passage to any Offender or Witness, shall not receive and afford such Passage, or shall not take or cause to be taken the Offender or Offenders before a Justice of the Peace as aforesaid, every such Master shall be liable to a Penalty of Fifty Pounds; and the Seaman, if acquitted, shall receive his Register Ticket again upon due Application to the Registrar of Seamen.

As to Ships
belonging to
British Colo-
nies.

Sect. 61. And be it enacted, That this Act shall not extend or apply to any Ship registered in or belonging to any *British* Colony having a Legislative Assembly, or to the Crew of any such Ship, while such Ship shall be within the Precincts of such Colony; but every Ship belonging to any Colony or Possession of Her Majesty, when proceeding from one Part of the United Kingdom to another, or from the United Kingdom to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, or *Man*, or from any Port in the United Kingdom to any Port or Possession of any Foreign Power or Country, or to any Colony to which the Ship shall not belong, shall be held to come within the Provisions of this Act; and this Act is hereby extended to the same; and the Owner, Master, and Crew, including Apprentices, of such Ship so trading as aforesaid, shall be and are hereby declared liable to the Provisions of this Act as fully as the Owner, Master, and Crew of any *British* registered Ship, and this Act and the Provisions thereof (except so far as the same relate to Agreements, Register Tickets, and having Apprentices,) shall also extend and apply to Ships belonging to all of Her Majesty's Colonies and Possessions abroad, wherever otherwise proceeding or trading, and to the Owners, Masters, and Crews of such Ships when any such Ship shall be beyond the Precincts of the Colony or Possession to which she shall belong; and all Certificates and Sanctions required by this Act to be endorsed on Agreements shall, in the Case of Ships last referred to, be otherwise given in Writing where no written Agreement exists.

Recovery of
Penalties.

Sect. 62. And be it enacted, That all Penalties and Forfeitures imposed by this Act, and for the Recovery whereof no specific Mode is herein-before provided, shall and may be recovered, with Costs, either in any of Her Majesty's Courts of

Record at *Westminster, Edinburgh, or Dublin*, or in the Colonies or Territories under the Government of the *East India Company*, at the Suit of Her Majesty's Law Officers respectively, or at the Suit of any Person, by Information and summary Proceeding before any Justice or Justices of the Peace in and for any Part of Her Majesty's Dominions, or the Territories under the Government of the *East India Company*, where or near to the Place where the Offence shall be committed or the Offender shall be; and if Proceedings for the Recovery of any Forfeiture or Penalty imposed by this Act, or for the Recovery of any Debt due to Her Majesty, be commenced in any of Her Majesty's Courts, the Court in which such Proceedings shall be instituted is hereby authorized to issue a Commission or Commissions in or out of Her Majesty's Dominions for the Examination of Witnesses, and the Depositions taken thereunder shall be used and admitted in Evidence; and in case of a summary Conviction under this Act, and the Sum imposed as a Penalty by the Justice or Justices shall not be paid, either immediately after the Conviction or within such Period as the Justice or Justices shall at the Time of the Conviction appoint, it shall be lawful for the convicting Justice or Justices to commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, according to the Discretion of the Justice or Justices, for any Term, not exceeding Six Calendar Months, the Commitment to be determinable upon Payment of the Amount and Costs; and all Penalties and Forfeitures mentioned in this Act, for which no specific Application is herein-before provided, shall, when recovered, be paid and applied in manner following; (that is to say,) so much thereof as the Court or the convicting Justice or Justices shall determine, but not exceeding one Moiety, shall be paid to the Informer or Person upon whose Discovery or Information the same shall be recovered, and the Residue shall be paid to the Seamen's Hospital Society: Provided always, that it shall be lawful for the Court before which, or the Justice or Justices before whom, any Proceedings shall be instituted for the Recovery of any pecuniary Penalty imposed by this Act, to mitigate or reduce such Penalty as to such Court or Justices respectively shall appear just and reasonable; but no such Penalty shall be reduced to less than One Third of its original Amount; and it shall be lawful, in the Discretion of the said Court, or of the said Justice or Justices hearing the Complaint, to order such Costs against the informing or complaining Party failing to prove the Charge as the said Court or Justice or Justices may deem fit, and such Costs shall be recoverable in the same Manner as Penalties under this Act, and be paid as such Court or Justice or Justices shall direct: Provided also, that all Proceedings so to be instituted shall be commenced within Two Years next after the Commission of the Offence, if the same shall have been committed at or beyond

Application of
Forfeitures.

MERCHANT
SEAMEN.

Definition of
the Terms

" Master,"
" Seaman,"
" Ship," and
" Owner."

the *Cape of Good Hope* or *Cape Horn*, or within One Year if committed elsewhere, or within Two Calendar Months after the Return of the Offender and the complaining Party to the United Kingdom.

Sect. 63. And to avoid Doubts in the Constrution of this Act, be it enacted, That every Person having the Charge or Command of any Ship belonging to any Subject of Her Majesty shall, within the Meaning and for the Purposes of this Act, be deemed and taken to be the Master of such Ship; and that every Person (Apprentices excepted) who shall be employed or engaged to serve in any Capacity on board the same shall be deemed and taken to be a Seaman, within the Meaning and for the Purposes of this Act; and that the Term " Ship " shall be taken and understood to comprehend every Description of Vessel navigating on any Sea or Channel, or Waters outside the Mouths of Rivers, and also every Vessel passing beyond the Precincts of a Port; and that the Term " Owner " shall be taken and understood to comprehend all the several Persons, if more than One, to whom the Ship shall belong.

As to Relief to
Persons from
Asia and Africa
becoming dis-
tressed in the
United King-
dom.

Sect. 64. And be it enacted, That if any Person, being a Malay, Lascar, or Native of the Territories under the Government of the *East India* Company, or of any *Asiatic* or *African* Seaman, having been brought to the United Kingdom on board any Ship, shall be found or be in the United Kingdom in distress for Want of Food, Clothing, or other Necessaries, it shall and may be lawful for the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, at their Discretion, to supply necessary and reasonable Relief to every such Person and Seaman, and to maintain him until he shall be sent on board some Ship for the Purpose of being conveyed to or near to the Port from which he was shipped, and also to pay, defray, and advance the Money necessary to procure every such Person and Seaman a proper and sufficient Passage to such Port; and all such Sum or Sums of Money as shall be paid and advanced by or by Order of the said Commissioners for or on account of such Relief, Maintenance, and Passage shall be and become a Debt due to Her Majesty, and be recoverable as such, with full Costs of Suit, in the Courts of Law either in Her Majesty's Dominions or in the Territories under the Government of the *East India* Company, from the Owner and Master, or either of them, of the Ship on board whereof such Person or Seaman shall have been brought from *Asia* or *Africa*; but nothing herein contained shall repeal or annul any other Act or Acts now in force for the Relief and Conveyance home of any *Asiatic* or *African* Person or Seaman.

Act may be
amended, &c.

Sect. 65. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

SCHEDULE (A.) (1)

AN AGREEMENT made pursuant to the Directions of an Act of Parliament passed in the Year of the Reign of
of the Burden of the Master of the Ship of the Port of
Tons, and the several Persons whose Names are subscribed hereto.

It is agreed by and on the Part of the said Persons, and they severally hereby engage to serve on board the said Ship in the several Capacities against their respective Names expressed on a Voyage from the Port of _____ to _____ [here the intended Voyage is to be described as nearly as can be done, and the Places at which it is intended the Ship shall touch, or, if that cannot be done, the Nature of the Voyage in which she is to be employed]; and the said Crew further engage to conduct themselves in an orderly, faithful, honest, careful, and sober Manner, and to be at all Times intelligent to their respective Duties and Stations, and to be obedient to the lawful Commands of the Master in every thing relating to the said Ship, and the Materials, Stores, and Cargo thereof, whether on board such Ship, in Boats, or on Shore [here may be inserted any other Clauses which the Parties may think proper to be introduced into the Agreement, provided that the same be not contrary to or inconsistent with the Provisions and Spirit of this Act]; in consideration of which Services, to be duly, honestly, carefully, and faithfully performed, the said Master doth hereby promise and agree to pay to the said Crew by way of Compensation or Wages the Amount against their Names respectively expressed: And it is hereby agreed, that any Embezzlement, or wilful or negligent Loss or Destruction, of any Part of the Ship's Cargo or Stores, shall be made good to the Owner out of the Wages (so far as they will extend) of the Seaman guilty of the same; and if any Seaman shall have entered himself as qualified for a Duty to which he shall prove to be not competent he shall be subject to a Reduction of the Rate of Wages hereby agreed for, in proportion to his Incompetency. In witness whereof the said Parties have hereto subscribed their Names on the Days against their respective Signatures mentioned.

[illegible]

I hereby declare to the Truth of all the Particulars set forth in this Agreement [or this attested Copy of Agreement], delivered to the Collector or Comptroller of the Port of this _____ Day of _____ 18 _____

Master.
Mate.

Notc.—This Agreement, or an attested Copy thereof, is required to be delivered to the Collector and Comptroller of Customs within Twenty-four Hours after the Arrival of the Ship at her final Port of Destination in the United Kingdom.

SCHEDULE (B.) (1)

AN AGREEMENT made pursuant to the Directions of an Act of Parliament passed in the Year of the Reign of the Master of the Ship of the Port of and Tons, and the several Persons whose Names are subscribed hereto.

It is agreed by and on the Part of the said Persons, and they severally hereby engage to serve on board the said Ship in the said several Capacities against their respective Names expressed, which Ship is to be employed in [here the Nature of the Ship's Employment is to be described, whether in the Fisheries, on the Coast, or in proceeding from one Part of the United Kingdom to another, or to any of the Islands of Jersey, Guernsey, Alderney, Sark, and Man, or to any Part of the Continent of Europe between the River Elbe inclusive and Brest]; and the said Crew further engage to conduct themselves in an orderly, faithful, honest, careful, and sober Manner, and to be at all Times diligent to their respective Duties and Stations, and to be obedient to the lawful Commands of the Master in every thing relating to the said Ship, and the Materials, Stores, and Cargo thereof, whether on board such Ship, in Boats, or on Shore [here may be inserted any other Clauses which the Parties may think proper to be introduced into the Agreement, provided that the same be not contrary to or inconsistent with the Provisions and Spirit of this Act]; in consideration of which Services, to be duly, honestly, carefully, and faithfully performed, the said Master doth hereby promise to pay to the said Crew by way of Compensation or Wages the Amount against their Names respectively expressed: Provided always, and it is hereby declared, that no Seaman shall be entitled to his Discharge from the Ship during any Voyage in which she may be engaged, nor at any other Port than a Port in the United Kingdom: And it is hereby agreed, that any Embezzlement, or wilful or negligent Loss or Destruction, of any Part of the Ship's Cargo or Stores, shall be made good to the Owner out of the Wages (so far as they will extend) of the Seaman guilty of the same; and if any Seaman shall have entered himself as qualified for a Duty to which he shall prove to be not competent he shall be subject to a Reduction of the Rate of Wages hereby agreed for, in proportion to his Incompetency. In witness whereof the said Parties have hereto subscribed their Names on the Days against their respective Signatures mentioned.

No. and Date of Ship's Register.	Place and Time of Entry.			Men's Names, Christian and Surnames set forth at full Length.	Town or County where born.	Amount of Wages per Calendar Month, Share, or Voyage.	Quantity of Provisions per Day.	Witness to Signature.	Name of Ship in which the Seaman last served.	Number of Register Ticket.
	Day.	Month.	Year.							

I hereby declare to the Truth of all the Particulars set forth in this Agreement [or attested Copy of Agreement] delivered to the Collector or Comptroller of the Port of this 18th Master. Mate.

Note.—This Agreement, or an attested Copy thereof, is required to be delivered to the Collector or Comptroller of Customs of any Port of the

SCHEDULE (C.) (1)

Ship of the Port of _____ of the Burden of _____ Tons, whereof _____ was Master.

A LIST of the Crew (including the Master and Apprentices) at the Period of quitting the Port of _____ in the United Kingdom, from which she took her first Departure on her Voyage to _____ on the _____ Day of _____ being and of the Men who joined the Ship subsequent to such Departure, and until her Return to the Port of _____ 184 . her first final Port of Destination in the United Kingdom on the _____ Day of _____

No. and Date of Ship's Register.	Name. Christian and Surname at full Length.	Age.	Town or County where born.	Quality.	Ship in which he last served.	Date of joining the Ship.	Place where.	Time of Death or leaving the Ship.	Place where.	How disposed of.	Date of Apprentices Indentures and Assignments.	When and where registered.	Numbers of Register Tickets.

Note.—If any one of the Crew has entered Her Majesty's Service, the Name of the Queen's Ship in which he entered must be stated in the Account, under the Head of "How disposed of."

Note.—This List to be filled up and signed by the Master of every Vessel of whatever Tonnage, and to be delivered by him to the Collector or Comptroller of the Customs within Twenty-four Hours after the Ship's Arrival at her final Port of Destination in the United Kingdom. (19) See § 26.

SCHEDULE (D.) (1)

AN ACCOUNT of the Voyages in which the Ship engaged, in the Half Year commencing on the Day of 18 , and of all the Persons (Master and Apprentices included) who have belonged to such Ship during that Period.

of the Burden of 18 , and ending on the Tons, has been

ACCOUNT OF THE VOYAGES.

[Here the several Voyages, and the Periods of such Voyages, are to be described.]

ACCOUNT OF THE CREW.

No. and Date of Ship's Register.	Name. Christian and Surname at full Length.	Age.	Town or County where born.	Ship in which he last served.	Date of joining the Ship.	Place where.	Time of Death or leaving the Ship.	Place where.	How disposed of.	Date of Apprentices Indentures and Assignments.	When and where registered.	Numbers of Register Tickets.

Note.—If any one of the Crew shall have entered Her Majesty's Service, the Name of the Queen's Ship in which he entered must be stated in this Account, under the Head of "How disposed of."

Note.—This Account, when filled up, is to be signed by the Owner or Master of every Ship, of whatever Tonnage, and deposited with the Collector or Comptroller of the Customs of any Port of the United Kingdom within Twenty-one Days after the Thirtieth of June and the Thirty-first of December in every Year.

(1) See § 27.

SCHEDULE (E.) (1)

MERCHANT
SEAMEN.

This is to certify, That _____ whose Register Ticket
is numbered _____ served as _____ on board the
_____ of the Port of _____ of the Burden of
Tons, from the _____ Day of _____ to the
Day of _____ and that he was discharged from the said
Ship on _____ at _____
Dated this _____ Day of _____ 184 .
Master.

SCHEDULE (F.) (2)

1. What is your Christian and Surname?
2. Have you or have you not been registered before?
3. Where were you born, and when?
4. When did you first go to Sea?
5. In what Capacity did you go, and in what Capacity have you since served?
6. Have you or have you not served in the Royal Navy?
7. If you have, how long? and in what Ships? and in what Capacity?
8. Have you or have you not been in Foreign Service?
9. If you have, how long? and in what Capacity? and under what Flag?
10. How have you been generally employed at Sea?
11. Where is your usual Place of Residence when unemployed?

SCHEDULE (G.) (3)

NAMES, and distinguishing Numbers of the Register Tickets, of
the Crew (including Apprentices) now serving on board
the _____ of the Port of _____ of the Burden
of _____ Tons, on taking Departure from the Port of
_____ in the United Kingdom, bound on a Voyage
to _____ .

No. and Date of Ship's Register.	Name.	Capacity.	Number of Register Ticket.

Dated this _____ Day of _____ 184 .
Master.

Particulars to be clearly and legibly set forth.

(1) See § 13.

(2) See § 20.

(3) See § 26.

MERCHANT
SEAMEN.

SCHEDULE (H.) (1)

Form of Parish Apprentice's Indenture.

THIS Indenture, made the _____ Day of _____
in the Year of our Lord One thousand eight hundred and _____
witnesseth, That _____ Overseers
of the Poor of the [Parish] of ^(a) _____ in the _____
Division of _____ in the County of _____ in
the Presence of _____ and _____ Two
of Her Majesty's Justices of the Peace in and for the said
County _____ acting in and for the said Division in
which the said [Parish or Union] is situate, do by this Inden-
ture duly executed by the said Justices in testimony of their
having been satisfied that the Boy hereby and hereafter bound
and named hath attained the Age herein-after mentioned, and is
of sufficient Health and Strength as required by the Statute in
such Case made and provided, bind, put out, and place, with
his own free Will and Consent, and not otherwise,
a poor Boy of the said [Parish or Union], aged _____
Years, as appears by the Copy of the Entry of his Baptism in
the Register Book of the Parish of _____ in the
County of _____ hereunto annexed ^(b), who is
now [and whose Parents _____ and _____]
are now, chargeable to and maintained by the said [Parish]
of _____ Apprentice in the Sea Service
to _____ one of Her Majesty's Subjects of the
[Parish] of _____ in the County of _____
being the Master ^(c) _____ of the Ship called _____
registered in the Port of _____ being a Port of
the United Kingdom of Great Britain and Ireland, with him the
said _____ his Executors and Administrators, and the
Assign or Assigns of the Widow or of the Executors and Ad-
ministrators of the said _____ to dwell, remain, and
serve from the Day of the Date of these Presents for so long
Time and until the said Apprentice shall attain the Age of
Twenty-one Years; during all which Term the said Apprentice,
his said Master, his Executors and Administrators, or the
Assign or Assigns of the Widow or of the Executors or Admi-

^(a) Or it may be made by other Persons having the Authority of Overseers or Guardians, or in whom the Duty of Overseers or Guardians of the Poor shall be vested.

^(b) The Copy must be given and attested by the Officiating Minister, without Fee or Reward. If it cannot be found, erase the Words from "by the" to "annexed," and insert "from such Information of such Boy's Age as the said Justices have been able to obtain, as the Entry of his Baptism cannot be found." The Apprentice must be above Twelve and under Seventeen Years of Age, and bound for Four Years at the least.

^(c) Or Owner.

Administrators of the said shall well and faithfully serve; his and their Secrets keep; his and their lawful Commands everywhere gladly do and execute; Hurt or Damage to his said Master, his Executors or Administrators, or the said Assign or Assigns, he shall not do, consent or see to be done by others, but to the utmost of his Power shall hinder the same, and forthwith his said Master, his Executors or Administrators, or the said Assign or Assigns, thereof warn; Taverns or Ale-houses he shall not frequent; at Dice, Cards, Tables, Bowls, or any other unlawful Games he shall not play; the Goods of his said Master, his Executors or Administrators, or the said Assign or Assigns, he shall not embezzle or waste, or lend or give to any Person or Persons without his or their Licence; nor from the Service of his said Master, his Executors or Administrators, or the said Assign or Assigns, without his or their Consent, at any Time absent himself; but as a true and faithful Apprentice in all lawful Businesses, according to his Power, Wit, and Ability, and honestly, orderly, and obediently in all Things, shall demean and behave himself toward his said Master, his Executors or Administrators, or the said Assign or Assigns, during the said Term; and true and just Accounts of his or their Goods, Chattels, and Money committed to his Charge, or which shall come to his Hands, faithfully he shall give at all Times, when thereunto required by him or them; and shall also render an Account of, and well and truly pay or cause to be paid to him or them, all such Wages, Prize Money, and other Sum or Sums of Money as shall become due and payable unto him the said Apprentice from Her Majesty, Her Heirs, Successors, or any other Person, in case he shall enter or go into Her Majesty's Service during the said Term. In consideration whereof, and of the Sum of of lawful Money of the United Kingdom of Great Britain and Ireland to him in hand well and truly paid at the Execution of these Presents (the Receipt whereof the said doth hereby acknowledge), he the said for himself, his Executors or Administrators, doth hereby covenant, promise, and agree to and with the said Overseers of the Poor, and their Successors, that he the said his Executors or Administrators, and the Assign or Assigns of his Widow or of his Executors or Administrators, the said Apprentice in the Art, Trade, or Business of a Mariner or Seaman, with the Circumstances thereunto belonging, shall and will, until he shall attain the Age of Twenty-one Years, teach, learn, and instruct, or cause to be taught, learned, and instructed, in the best Way and Manner that he or they can; and shall and will find, provide, and allow unto the said Apprentice competent and sufficient Meat and Drink, Apparel, Lodging, Washing, Medicine, Medical and Surgical Aid and Advice, and all other Things necessary and fit for an Apprentice.

MERCHANT
SEAMEN.

And also shall and will so provide for the said Apprentice that he be not any way a Charge to the said [Parish or Union] of or Parishioners thereof; but of and from all Charge shall and will save the [Parish or Union] of and Parishioners thereof harmless and indemnified during the said Term. In witness whereof the said Justices and other Parties abovesaid to the present Indenture interchangeably have set their Hands and Seals the Day and Year first above written.

Signed, sealed, and delivered }
in the Presence of }

We the Guardians of the Poor of the [* Union, within which the said Parish is included] do hereby testify our Consent to the binding of the said to the said and have hereunto caused our official Seal to be affixed, at a Meeting of the Board this Day of

(Signed)



Presiding Chairman.

Clerk to the said Guardians.

SCHEDULE (I.) (1)

Form of Apprentice's Indenture.

THIS Indenture, made the Day of in the Year of the Reign of Her Majesty Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and in the Year of our Lord One thousand eight hundred and between aged Years, a Native of in the County of of the one part, and of in the County of of the other Part, witnesseth, That the said hath of his free Will put and bound himself Apprentice unto the said with him, his Executors, Administrators, and Assigns, after the Manner of an Apprentice, to dwell, remain, and serve from the Day of the Date hereof for and during and until the full End and Term of Years from thence next ensuing fully to be complete and ended; during all which Term the said Apprentice his said Master shall

* If the Parish be not in Union, omit the Words within Brackets.

(1) See § 40.

well and faithfully serve; his secrets keep; his lawful Commands everywhere do and execute; Hurt or Damage to his said Master he shall not do, consent or see to be done by others, but to the utmost of his Power shall hinder the same, and forthwith his said Master thereof warn; Taverns or Alehouses he shall not frequent (unless about his said Master's Business); at Dice, Cards, Tables, Bowls, or any other unlawful Games he shall not play; the Goods of his said Master he shall not embezzle or waste, or lend or give to any Person or Persons without his said Master's Licence; nor from the Service of his said Master, without his Consent, at any Time absent himself; but as a true and faithful Apprentice shall demean and behave himself towards his said Master, his Executors, Administrators, or Assigns, during the said Term; and true and just Accounts of his said Master's Goods, Chattels, and Money committed to his Charge, or which shall come to his Hands, faithfully he shall give at all Times, when thereunto required by his said Master, his Executors, Administrators, or Assigns; and shall also render an Account of, and well and truly pay or cause to be paid unto his said Master, his Executors, Administrators, or Assigns, all such Wages, Prize Money, and other Sum or Sums of Money as shall become due and payable unto him from Her Majesty, Her Heirs, Successors, or any other Person, in case he shall be impressed, enter, or go into Her Majesty's Service during the said Term. In consideration whereof the said

doth hereby covenant and agree to and with the said
the Apprentice, that he the said his
Executors, Administrators, or Assigns, during the said Term of

Years, shall and will teach, learn, and inform
the said Apprentice, or cause him to be taught, learned, and informed, in the Art, Trade, or Business of a Mariner or Seaman, with the Circumstances thereunto belonging; and shall and will find and provide for the said Apprentice sufficient Meat, Drink, Washing, Lodging, Medicine, and Medical and Surgical Aid and Advice

to pay unto the said
Apprentice the Sum of Pounds of lawful

Money of Great Britain, in manner following; (that is to say,)

The said finding and providing to and for
himself all Manner of Sea Bedding, Wearing Apparel, and other Necessaries (except Meat, Drink, Lodging, Washing, Medicine, and Medical and Surgical Aid and Advice): And it is hereby agreed between the said Parties, that the said

shall and may from Time to Time during the
said Term deduct and retain in his Hands, out of the several yearly Payments above mentioned, all such Sum or Sums of Money as he shall at any Time during the said Term disburse or lay out in the buying of any Apparel or Sea Bedding for the said Apprentice, as Need shall require: And for the true Performance of all and singular the Covenants and Agreements aforesaid, each of them the said and

MERCHANT
SEAMEN.
—

doth hereby bind and oblige himself, his Heirs, Executors, and Administrators, unto the other of them, his Executors, and Administrators, firmly by these Presents, in the penal Sum of Pounds of lawful Money of Great Britain.

In witness whereof the said Parties to these Presents have hereunto set their Hands and Seals, the Day and Year above written.

Signed, sealed, and delivered }
in the Presence of us . }

5° & 6° GUL. 4. Cap. 62.

An Act to repeal an Act of the present Session of Parliament, intituled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits; and to make other Provisions for the Abolition of unnecessary Oaths.* [9th September 1835.]

OATHS.

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits; and it was thereby enacted that the said Act should commence and take effect from and after the First Day of June in this present Year, the Year of our Lord One thousand eight hundred and thirty-five, it not being intended that the said recited Act should take effect before the same received the Royal Assent: And whereas the said recited Act did not receive the Royal Assent till after the said First Day of June One thousand eight hundred and thirty-five: And whereas it was enacted by the said recited Act, that from and after the First Day of June next ensuing it should not be lawful for any Justice of the Peace to administer or receive such voluntary Oaths as are therein mentioned, it being intended that the said Prohibition should take effect from the Time of the Commencement of the said recited Act: And whereas it is expedient to amend the said Act, and to make some further Provisions for the better effecting the Object thereof, and to consolidate all the Provisions relating thereto into One Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed.*

5 W. 4. c. 8.

Recited Act repealed.

Sect. 2. And be it further enacted, That in any Case where, by any Act or Acts made or to be made relating to the Revenues of Customs or Excise, the Post Office, the Office of Stamps and Taxes, the Office of Woods and Forests, Land Revenues, Works, and Buildings, the War Office, the Army Pay Office, the Office of the Treasurer of the Navy, the Accountant

Lords of the Treasury empowered to substitute a Declaration in lieu of an Oath, &c. in certain Cases.

OATHS.

General of the Navy, or the Ordnance, His Majesty's Treasury, *Chelsea* Hospital, *Greenwich* Hospital, the Board of Trade, or any of the Offices of His Majesty's Principal Secretaries of State, the *India* Board, the Office for auditing the Public Accounts, the National Debt Office, or any Office under the Control, Direction, or Superintendence of the Lords Commissioners of His Majesty's Treasury, or by any official Regulation in any Department, any Oath, solemn Affirmation, or Affidavit might, but for the passing of this Act, be required to be taken or made by any Person on the doing of any Act, Matter, or Thing, or for the Purpose of verifying any Book, Entry, or Return, or for any other Purpose whatsoever, it shall be lawful for the Lords Commissioners of His Majesty's Treasury or any Three of them, if they shall so think fit, by Writing under their Hands and Seals, to substitute a Declaration to the same Effect as the Oath, solemn Affirmation, or Affidavit which might but for the passing of this Act be required to be taken or made; and the Person who might under the Act or Acts imposing the same be required to take or make such Oath, solemn Affirmation, or Affidavit shall, in Presence of the Commissioners, Collector, other Officer or Person empowered by such Act or Acts to administer such Oath, solemn Affirmation, or Affidavit, make and subscribe such Declaration; and every such Commissioner, Collector, other Officer or Person is hereby empowered and required to administer the same accordingly.

Declaration substituted to be published in the Gazette, and after Twenty-one Days from the Date thereof the Provisions of this Act to apply;

Sect. 3. And be it enacted, That when the said Lords Commissioners of His Majesty's Treasury or any Three of them shall, in any such Case as herein-before mentioned, have substituted, in Writing under their Hands and Seals, a Declaration in lieu of an Oath, solemn Affirmation, or Affidavit, such Lords Commissioners shall, so soon as conveniently may be, cause a Copy of the Instrument substituting such Declaration to be inserted and published in the *London Gazette*; and from and after the Expiration of Twenty one Days next following the Day of the Date of the Gazette wherein the Copy of such Instrument shall have been published the Provisions of this Act shall extend and apply to each and every Case specified in such Instrument, as well and in the same Manner as if the same were specified and named in this Act.

and no Oath to be administered in lieu of which such Declaration has been directed.

Sect. 4. And be it enacted, That after the Expiration of the said Twenty-one Days it shall not be lawful for any Commissioner, Collector, Officer, or other Person to administer or cause to be administered, or receive or cause to be received, any Oath, solemn Affirmation, or Affidavit, in the lieu of which such Declaration as aforesaid shall have been directed by the Lords Commissioners of His Majesty's Treasury to be substituted.

OATHS.

False Declarations in Matters relating to certain Revenues a Misdemeanor.

Sect. 5. And be it enacted, That if any Person shall make and subscribe any such Declaration as herein-before mentioned in lieu of any Oath, solemn Affirmation, or Affidavit by any Act or Acts relating to the Revenues of Customs or Excise, Stamps and Taxes, or Post Office, required to be made on the doing of any Act, Matter, or Thing, or for verifying any Book, Account, Entry, or Return, or for any Purpose whatsoever, and shall wilfully make therein any false Statements as to any material Particular, the Person making the same shall be deemed guilty of a Misdemeanor.

Sect. 6. [Oath of Allegiance still to be required in all Cases.]

Sect. 7. [Oaths in Courts of Justice, &c. still to be taken.]

Sect. 8. [Universities of Oxford and *Cambridge*, and other Bodies, may substitute a Declaration in lieu of an Oath.]

Sect. 9. [Churchwarden's and Sidesman's Oath abolished, and a Declaration to be made in lieu thereof.]

Sect. 10. [Declaration substituted for Oaths and Affidavits by Persons acting in Turnpike Trusts.]

Sect. 11. [Declaration substituted for Oaths and Affidavits heretofore required on taking out a Patent.]

Sect. 12. [Declaration substituted for Oaths and Affidavits required by Acts as to Pawnbrokers.—Penalties as to such Oaths, &c. to apply to Declarations.]

Sect. 13. [Justices not to administer Oaths, &c. touching Matters whereof they have no Jurisdiction by Statute.—Proviso.]

Sect. 14. [Declaration substituted for Oaths and Affidavits required by Bank of *England* on the Transfer of Stock.]

Sect. 15. [Declaration substituted for Oaths and Affidavits required by 5 G. 2. c. 7. and 5½ G. 3. c. 15.]

Sect. 16. [Declaration in Writing sufficient to prove Execution of any Will, Codicil, &c.]

Sect. 17. [Snits on behalf of His Majesty to be proved by Declaration.]

Sect. 18. [Voluntary Declaration in the Form in the Schedule may be taken.—Making false Declaration a Misdemeanor.]

OATHS.

Sect. 19. [Fees on Oaths payable on Declarations substituted in lieu thereof.]

Sect. 20. [Declarations to be in the Form prescribed by Schedule.]

Sect. 21. [Persons making false Declaration deemed guilty of a Misdemeanor.]

Sect. 22. [Act to take effect after 1st *October* 1835]

Sect. 23. [Act may be amended this Session.]

SCHEDULE referred to by the foregoing Act.

I *A.B.* do solemnly and sincerely declare, That
and I make this solemn Declaration conscientiously believing
the same to be true, and by virtue of the Provisions of an Act
made and passed in the Year of the Reign of His present
Majesty, intituled *An Act* [*here insert the Title of this Act*].

5^o & 6^o VICT. Cap. 107.

An Act for regulating the Carriage of Passengers in Merchant Vessels. [12th August 1842.]

PASSENGERS.

WHEREAS it is expedient to make Provision respecting the Carriage of Passengers by Sea in certain Cases, and for that Purpose to repeal, except as herein-after is mentioned, an Act passed in the Session of Parliament held in the Fifth and Sixth Years of His late Majesty King *William the Fourth*, intituled *An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the British Possessions on the Continent and Islands of North America; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom*; and also an Act passed in the Session of Parliament held in the Third and Fourth Years of Her present Majesty, intituled *An Act to extend to the British Colonies in the West Indies an Act passed in the Fifth and Sixth Year of His late Majesty King William the Fourth, for regulating the Carriage of Passengers in Merchant Vessels*; and also so much of an Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs*, as extends the Provisions of the Act first before mentioned to Foreign Vessels, under certain Circumstances: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts and Portion of an Act shall be and the same are hereby repealed, save and except so far as the first before-mentioned Act repeals an Act passed in the Ninth Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act to regulate the Carriage of Passengers in Merchants Vessels from the United Kingdom to the Continent and Islands of North America*, which shall remain and continue repealed: Provided nevertheless, that all Fines, Forfeitures, and Penalties to which any Person or Persons may have become liable under the said Acts or either of them shall and may be sued for, prosecuted, and recovered, and that any Right of Action which may have accrued to any Person or Persons by virtue of the said Acts or either of them shall and may be enforced hereafter in such and the same Manner, in all respects, as if this present Act had not been made.

5 & 6 W. 4. c. 53.

3 & 4 Vict. c. 21.

1 & 2 Vict. c. 113.
in part.

Recited Acts
and Part of
Act repealed,
except as to the
Repeal of
9 G. 4. c. 21.

Sect. 2. And be it enacted, That no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom, or in the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*,

Limitation of
Numbers of
Passengers

PASSENGERS,
—
according to
Tonnage and
Space.

herein-after designated as the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, shall proceed on her Voyage with or shall carry more Persons on board than in the Proportion of Three Persons to every Five Tons of the registered Burden of such Ship, the Master and Crew being included in and forming Part of such prescribed Number, and that no such Ship shall, whatever be the Tonnage thereof, proceed on her Voyage with or carry more Passengers on board than in the following Proportion to the Space occupied by them and appropriated for their Use, and unoccupied by Stores not being the personal Luggage of Passengers; (that is to say,) on the Lower Deck or Platform One Passenger for every Ten such clear superficial Feet, if such Ship is not to pass within the Tropics during such Voyage, but if such Ship is to pass within the Tropics during such Voyage, then One Passenger for every Twelve such clear superficial Feet if such Voyage is computed in manner herein-after mentioned not to exceed Twelve Weeks, and One Passenger for every Fifteen such clear superficial Feet if such Voyage is so computed to exceed Twelve Weeks; and under the Poop and on the Orlop Deck, if any, One Passenger for every Thirty such superficial Feet in all Cases; and that if any Ship carrying Passengers upon any such Voyage as aforesaid shall carry any Passengers beyond the Proportions herein-before respectively mentioned, or any of them, the Master of such Ship shall, for or in respect of every Passenger constituting such Excess, be liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding Five Pounds, to be sued for and recovered as herein-after is mentioned.

Construction
and Thickness
of Lower Deck.

Sect. 3. And be it enacted, That no Ship shall carry Passengers on any such Voyage as aforesaid unless she have Lower or Hold Beams forming Part of the permanent Structure of the Vessel, and also a Lower Deck or Platform, of which the under Surface shall be not lower than Three Inches above the Bottom of the Lower Beams, and properly and substantially secured to the same, nor unless such Lower Deck or Platform shall be of not less than One and a Half Inch in Thickness. (1)

Height between
Decks.

Sect. 4. And be it enacted, That no Ship shall carry any Passengers upon any such Voyage as aforesaid unless such Ship shall be of the Height of Six Feet at the least between the Upper Deck and the Lower Deck or Platform herein-before mentioned, nor carry Passengers on the Orlop Deck, if any, unless the Height between such Orlop Deck and the Deck immediately above the same be Six Feet at the least. (2)

(1) For Penalty, see § 27.

(2) For Penalty, see § 27.

Sect. 5. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid shall have more than Two Tiers of Berths, and that in no such Ship shall the Interval between the Floor of the Berths and the Deck or Platform beneath them be less than Six Inches; and further, than the Berths shall be securely constructed, and that their Dimensions shall not be less than after the Rate of Six Feet in Length and Eighteen Inches in Width for each Passenger. (1)

PASSENGERS.
——
Sleeping
Berths.

Sect. 6. And be it enacted, That on board every Ship carrying Passengers on any such Voyage as aforesaid there shall be issued to the Passengers daily a Supply of Water at the Rate of at least Three Quarts for each Passenger *per* Day, and that there shall also be issued at convenient Times, not less often than Twice a Week, a Supply of Provisions after the Rate of Seven Pounds of Bread, Biscuit, Flour, Oatmeal, or Rice *per* Week, provided that One Half at least of the Supply shall consist of Bread or Biscuit, and that Potatoes may be employed to the Extent of the remaining Half of the Supply, Five Pounds, however, of Potatoes being computed as equal to One Pound of the other Articles above enumerated; and that such Issues as aforesaid shall be made throughout the whole Voyage, including the Time of Detention, if any, at any Port or Place before the End of such Voyage; and further, that no Ship proceeding on any such Voyage as aforesaid shall be cleared out until there shall be laden and on board such Quantity of pure Water, and of good and wholesome Provisions of the requisite Kind, as shall be sufficient to allow of the Issues aforesaid during the Period assigned to such Voyage under the Provisions of this Act. (2)

Quantities of
Provisions and
Water to be
issued to each
Passenger.

Sect. 7. And be it enacted, That in any such Ship the Water to be laden on board as herein-before required shall be carried in Tanks or sweet Casks, and that none of such Casks shall exceed Three hundred Gallons in Capacity; and further, that when any Ship shall be destined to call at a Port or Place in the course of her Voyage, for the Purpose of filling up her Water, a Supply of Water at the Rate before mentioned for every Week of the computed Voyage to such Port or Place of calling shall be deemed to be a Compliance with the Provisions of this Act, subject to the following Conditions; (that is to say,)

Further Regu-
lations as to
Water.

First, That the Government Emigration Agent at Ports where there is one, and the Collector or Comptroller of Customs at Ports where there is no such Agent, signify his Approval, in Writing, and that the same be carried

(1) For Penalty, see § 27.

(2) For Penalty, see § 27.

PASSENGERS.

amongst the Papers of the Ship, to be delivered to the Collector of Customs or Her Majesty's Consul, as the Case may be, on reaching her final Destination :

Secondly, That an Engagement to call at such Port or Place be inserted in the Bond which is herein-after required to be given (1) to the Crown by the Owner or Charterer and Master :

Thirdly, That if the computed Length of Voyage to such Port or Place be not declared in this Act, it shall be competent to the Government Emigration Agent, or the Collector or Comptroller of Customs, as aforesaid, as the Case may be, to fix the same in each Case ; and,

Fourthly, That the Ship shall have on board, at the Time of clearing out, Tanks or Water Casks sufficient for stowing the Quantity of Water required for the longest Portion of the whole Voyage.

Computed
Length of
different
Voyages.

Sect. 8. And be it enacted, That the Number of Weeks deemed to be necessary for the Voyage of any such Ship, according to her Destination, shall be determined by the following Rule of Computation ; (that is to say,)

For a Voyage to *North America*, except the West Coast thereof, Ten Weeks :

For a Voyage to the *West Indies*, including under that Term the *Bahama Islands* and *British Guiana*, Ten Weeks :

For a Voyage to any Part of the Continent of *Central* or *South America*, except the West Coast thereof, and except *British Guiana*, Twelve Weeks :

For a Voyage to the West Coast of *Africa*, Twelve Weeks :

For a Voyage to the *Cape of Good Hope* or the *Falkland Islands*, Fifteen Weeks :

For a Voyage to the *Mauritius*, Eighteen Weeks :

For a Voyage to *Western Australia*, Twenty Weeks :

For a Voyage to any other of the *Australian Colonies*, Twenty-two Weeks :

For a Voyage to *New Zealand*, Twenty-four Weeks.

How Children
are to be com-
puted in the
Enumeration of
Passengers.

Sect. 9. Provided always, and be it enacted, That for the Purposes and within the Meaning of this Act it shall in all Cases be computed that Two Children, each being under the Age of Fourteen Years, shall be equal to One Passenger, and that Children under the Age of One Year shall not be included in the Computation of the Number of Passengers.

Government
Emigration
Agents or
Officers of Customs.

Sect. 10. And be it enacted, That before any such Ship shall be cleared out for the Voyage the Government Emigration Agent, at Ports where there is such an Officer, or in the Absence of such Agent, and in Portswere there is no such

(1) See § 35.

Agent, the Collector or Comptrollers of Customs, shall survey or cause to be surveyed by some competent Person the Provisions and Water herein-before required for the Consumption of the Passengers, and shall ascertain that the same are in a sweet and good Condition, and shall also ascertain that over and above the same there is on board an ample Supply of Water and Stores for the victualling of the Crew of the Ship and other Persons (if any) on board.

PASSENGERS.

—
Tons to survey
Provisions and
Water.

Sect. 11. And be it enacted, That such Officers shall see that the other Directions contained in this Act be complied with, so far as the same can be complied with, before the Departure of such Ship from any Port or Place in the United Kingdom or in the herein-before mentioned Islands.

The same
Officers to
attend generally
to Enforcement
of the Act.

Sect. 12. And be it enacted, That if Doubts shall arise whether any Ship about to proceed with Passengers as aforesaid is seaworthy, so as to be fit for her intended Voyage, and such Doubts shall not be removed to the Satisfaction of the Collector and Comptroller of the Customs at the Port from which such Vessel is to be cleared out, or in case there shall be a Government Emigration Agent at such Port, then to the Satisfaction of such Emigration Agent, it shall be lawful for such Collector and Comptroller, or for such Government Emigration Agent, (as the Case may be,) at any Time to cause such Ship to be surveyed by Two competent Persons, and if it shall be reported by those Persons that such Ship is not in their Opinion seaworthy with reference to such Voyage, such Ship shall not be cleared out, unless the Contents of such Report be disproved to the Satisfaction of the Commissioners of the Customs, or of the Colonial Land and Emigration Commissioners in those Cases in which the Report shall have been made at the Instance of a Government Emigration Agent, or until such Ship shall have been rendered seaworthy.

Seaworthiness
of the Ship may
be ascertained
by Survey.

Sect. 13. And be it enacted, That no Ship shall carry any Passengers on any such Voyage as aforesaid unless such Ship shall be provided with good sound Boats of suitable Size, and properly supplied with all Requisites for their Use, in the following Proportion to the registered Tonnage of such Ship as aforesaid; (that is to say,)

Sufficient Boats
to be carried.

Two Boats, if the Tonnage of such Ship be One hundred and fifty Tons and upwards, but under Two hundred and fifty Tons:

Three Boats, if the Tonnage of such Ship be Two hundred and fifty Tons and upwards:

Four Boats, if the Tonnage of such Ship be Five hundred Tons and upwards, and the Number of Passengers exceed Two hundred:

PASSENGERS.

Nor unless One of such Boats be a Long Boat of a Size duly proportioned to the Tonnage of the Ship. (1)

Copies of the Act to be kept on board, and produced if demanded.

Sect. 14. And be it enacted, That Two Copies of this Act shall be kept on board every Ship carrying Passengers on any such Voyage as aforesaid, and that for this Purpose Two Copies of the same, provided and issued by the Authority of the Commissioners of the Customs, shall be delivered to the Master, on Demand, by the Collector or Comptroller of the Customs at the Port and Time of Clearance of the Ship; and one of such Copies shall, upon Request made at seasonable Times to the Master of the Ship, be produced to any Passenger for his Perusal. (2)

In every Ship (except to North America) carrying 100 Passengers, or Fifty Passengers if the Voyage be longer than Twelve Weeks, a Medical Practitioner and Medicines to be carried, and in every other Ship a proper Supply of Medicines.

Sect. 15. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid to any such Port or Place as aforesaid, except any Port or Place in *North America*, (3) shall, in case the Number of such Passengers shall amount to or exceed One hundred, or in case the estimated Length of the Voyage, computed as herein-before is mentioned, shall exceed Twelve Weeks, and the Number of such Passengers shall amount to or exceed Fifty, clear out for such Voyage from any Port in the United Kingdom or in the herein-before mentioned Islands, unless there shall be rated upon the Ship's Company, and shall be actually serving on board such Ship, some Person duly authorized by Law to practise in this Kingdom as a Physician or Surgeon or Apothecary, and that no such Ship shall actually put to Sea or proceed on such Voyage unless such Medical Practitioner shall be therein, and shall *bonâ fide* proceed on such Voyage, taking with him a Medicine Chest, and a proper Supply of Medicines, Instruments, and other Things suitable to the intended Voyage; and no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, shall clear out for any such Voyage unless and until there shall be actually laden and on board such Ship Medicines, and printed or written Directions for the Use of the same, and other Things necessary for the Medical Treatment of the Passengers on board during such intended Voyage, and available for that Purpose, nor unless such Medicines and other Things shall be adequate in Amount and Kind to the probable Exigencies of any such Voyage, and, together with such Medicines and other Things, shall also be put on board every such

(1) For Penalty, see § 27.

(2) For Penalty, see § 27.

(3) This Exception having been disallowed by the general Terms used in the 18th Section of 7 & 8 Vict. c. 112. was re-enacted as to Vessels carrying Passengers from the United Kingdom and the Channel Islands or Man to the East Coast of the Continent of North America by 8 Vict. c. 14. § 1.

Ship previously to her clearing out for any such Voyage as aforesaid a Certificate under the Hands of any One or more such Medical Practitioner, qualified as aforesaid, who shall not have been the Seller of the Medicines and other Things, or any Part of them, to the effect that the same have been inspected by him, and are in his Judgment adequate to meet any such probable Exigencies as aforesaid, and further, that he has no pecuniary Interest in the Supply of the same.

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Sect. 16. And be it enacted, That in any Ship carrying Passengers upon any such Voyage as aforesaid no Spirits or Strong Waters shall be sold to any Passenger during the Voyage; and that if the Master of the Ship shall, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any Passenger during the Voyage, he shall be liable to a Penalty not exceeding One hundred Pounds, to be sued for and recovered in manner herein-after mentioned. (1)

Sale of Spirits to Passengers prohibited.

Sect. 17. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall, before clearing out his said Ship for such Voyage from any Port or Place in the United Kingdom or in the herein-before mentioned Islands, sign and deliver, in Duplicate, to the Collector or to such Officer of Her Majesty's Customs at such Port or Place as may clear the Ship, a List, made out according to the Form contained in Schedule (A.) hereto annexed, of all and every the Passengers on board of such Ship, specifying, as accurately as may be, all the Particulars in the said Form required, and such Collector or other Officer shall thereupon countersign and return to the said Master one of such Duplicate Lists; and the said Master shall exhibit such Duplicate List, with the Additions, if any, to be made thereto, as herein-after directed, to the Collector or other chief Officer of Her Majesty's Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consul at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Collector or chief Officer of Customs, or such Consul, as the Case may be, at his final Port of Discharge. (2)

List of Passengers to be delivered before clearing.

Sect. 18. And be it enacted, That in case any such Vessel shall have cleared out as aforesaid with a Number of Passengers less than the Number she could lawfully carry under the Provisions of this Act, or in case any Passenger or Passengers named in the List afore mentioned shall not proceed on the Voyage, and there shall afterwards be taken on board any additional Passenger or Passengers, the Master shall in every such Case add to the first List so countersigned and returned to him as aforesaid, and in the same Manner as is required in such

Lists of additional Passengers after clearing out.

(1) See § 29.

(2) For Penalty, see § 27.

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first List, the Names and Particulars of such additional Passenger or Passengers; and shall moreover prepare, in the Form aforesaid, a separate List of such additional Passenger or Passengers, and deliver the same, together with the said first List so added to as aforesaid, both being duly signed by him, to the Collector or other Officer of Customs as aforesaid at the Port or Place where any such additional Passenger or Passengers may have embarked, and thereupon such Collector or other Officer of Customs shall countersign the Additions so made to such first List as aforesaid, and shall return the same to the said Master, and retain the separate additional List, and so on in like Manner whenever any additional Passenger or Passengers may be taken on board: Provided always, that in the event of there being no Collector or other Officer of Customs stationed at any Port or Place where such additional Passenger or Passengers may be taken on board, then such separate List, and also the said first List, with the Additions so to be made to it as aforesaid, shall, in case the Vessel shall subsequently touch at any Port or Place at which there shall be stationed any Officer of Her Majesty's Customs, be delivered by the said Master to such Officer of Customs, and the same respectively shall be dealt with in all respects by such Officer of Customs as it would have been dealt with by the Collector or other Officer of Customs as aforesaid had there been one at the Port or Place where such additional Passenger or Passengers embarked. (1)

Written Receipts to be given in respect of Passengers to North America.

Sect. 19. And be it enacted, That if any Owner, Charterer, or Master of a Ship, or any Passage Broker, Agent, or other Person, shall receive any Money from any Person, for or in respect of the Conveyance of any Person as a Passenger on any such Voyage as aforesaid to any Port or Place in *North America*, the Person so receiving such Money shall give a written Acknowledgment for the same to the Party from whom the same shall have been received, in the Form contained in the Schedule (B.) hereto annexed, and in default thereof shall be liable to a Penalty not exceeding Ten Pounds in respect of each such Passenger, to be sued for and recovered as herein-after is mentioned (2), and if he shall be so licensed as herein-after is mentioned (3), his Licence shall be forfeited, in case the Justices before whom the Penalty shall be sued for shall declare the Forfeiture thereof.

Licences to be taken out by Dealers and Brokers in

Sect. 20. And be it enacted, That from and after the Commencement of this Act no Person, not being the Owner or Master of the Ship in which such Passages as are herein-after mentioned shall be taken, shall carry on the Business of a Pas-

(1) For Penalty, see § 27.

(3) See § 20.

(2) See § 29.

sage Broker or Passage Dealer in respect of Passages from the United Kingdom or the herein-before mentioned Islands to any Port or Place in *North America*, or shall sell or let, or agree to sell or let, to any Person, any such Passage, unless he shall have previously taken out a Licence to carry on the Business of a Passage Broker or Passage Dealer as herein-after is mentioned, and unless such Licence shall continue in force; and if any Person shall carry on such Business, or sell or let, or agree to sell or let, any such Passage, contrary to this Enactment, every Person so offending shall be liable to a Penalty not exceeding Ten Pounds in respect of each and every such Offence, to be sued for and recovered as herein-after is mentioned (1), and shall further be subject to all the same Penalties and Liabilities to which licensed Passage Brokers and Passage Dealers are subject under this Act; and that it shall be lawful for any Person desiring to carry on the Business of a Passage Broker or Passage Dealer, in respect of such Passages to *North America* as aforesaid, to make Application to the Justices assembled in Petty or Quarter Sessions held for the District or Place in which such Person shall reside, for a Licence to carry on such Business, and such Justices so assembled are hereby authorized to grant such Licence to the Party making Application for the same, such Licence to be made out according to the Form contained in the Schedule (C.) hereunto annexed, and to continue in force for the Period named in such Form, unless sooner forfeited in manner herein-after mentioned; and where any such Licence shall be granted such Justices shall cause Notice thereof to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners at their Office in *London*: Provided nevertheless, that no such Licence shall be granted unless the Party applying for the same shall show to the Satisfaction of the Justices that he has given Notice to the Colonial Land and Emigration Commissioners of his Intention to apply for the same Twenty-one clear Days at least before such Application, such Notice to be transmitted by the Post to the Office of the said Colonial Land and Emigration Commissioners, and to be in the Form contained in the said Schedule (D.) hereunto annexed.

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respect of Passages to North America.

Licences to be granted by Justices, and Notice thereof transmitted to Colonial Land and Emigration Commissioners.

Notice to be given to Colonial Land and Emigration Commissioners of intended Application for Licences.

Sect. 21. And be it enacted, That if any licensed Broker or Dealer as aforesaid shall receive Money for or on account of the Passage of any Passenger for any such Voyage as aforesaid to any Port or Place in *North America*, without having a written Authority to act as Agent for the Party on whose Behalf the Contract for such Passage purports to be made, or shall by any Fraud or false Pretence whatsoever induce any Person to purchase, hire, or engage a Passage in any Ship for any such Voyage as aforesaid, every such Broker or Dealer shall be liable,

Penalties for acting without written Authority from Principals, and for obtaining Passage Money fraudulently.

(1) See § 29.

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upon Conviction, as herein-after is mentioned, in respect of every such Offence, to a Penalty not exceeding Ten Pounds, to be sued for and recovered in manner herein-after mentioned (1); and it shall be lawful for the Justices before whom the Penalty shall be sued for to declare, if they shall think fit, the Licence of such Broker or Dealer to be forfeited, and the same shall upon such Declaration be forfeited accordingly: Provided always, that in any Case in which under the Provisions of this Act any Justices shall declare the Licence of any Passage Broker or Passage Dealer to be forfeited, such Justices shall cause Notice of such Forfeiture, in the Form contained in the Schedule (E.) hereunto annexed, to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners, at their Office in *London*.

Return of Passage Money and Compensation to Passengers, in certain Cases.

Sect. 22. And be it enacted, That if any Passenger or Person on his Behalf shall have entered into a Contract for a Passage or Passages for such Passenger, or for him and his Family, in any Ship, for any such Voyage as aforesaid (2), from any Port in the United Kingdom or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being in the *Mediterranean Sea*, and if such Passenger, or such Passenger and his Family, (as the Case may be,) shall be at the Place of Embarkation at the Time appointed for that Purpose in and by such Contract, and such Passenger shall apply for such Passage or Passages, and shall, on Demand, pay or tender such Part of the Passage Money not already paid as shall be payable under such Contract previously to Embarkation, and if, owing to the previous Departure of the Ship in which such Passage or Passages shall have been engaged, or the Neglect, Refusal, or other Default of the Owner, Charterer, or Master thereof, or of the Party with whom such Passage or Passages shall have been contracted for, such Passenger shall not obtain such Passage or Passages, or shall not within a reasonable Time obtain a Passage or Passages by some other equally eligible Vessel to the same Port or Place, and in the meantime be paid Subsistence Money, or be provided with Lodging and Maintenance, as herein-after mentioned (3), such Passenger shall be entitled to recover, in manner herein-after provided (4), all Monies which he shall have paid for such Passage or Passages, from the Party to whom he shall have paid the same, or from the Owner or Charterer of the Ship for whom such Party shall be the Agent, and also such further Sum not exceeding Ten Pounds in respect of each such Passage as shall, in the Opinion of the Justices who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned

(1) See § 29.

(3) See § 23.

(2) See § 2.

(4) See § 29.

to such Passenger or his Family by the Loss of such Passage or Passages. PASSENGERS.

Sect. 23. And be it enacted, That if any Ship shall not actually put to Sea, and proceed upon any such intended Voyage as aforesaid, on the Day for that Purpose appointed in and by any Contract made by the Owner, Master, or Charterer of such Ship, or by their Agent, with any Passenger who shall on that Day be on board the same, or ready to proceed on such intended Voyage, then and in every such Case the Master of such Ship shall victual each and every such Passenger in like Manner as if the Voyage had commenced, and if the Ship does not put to Sea after the Interval of Two clear working Days from the Day appointed for sailing, shall be liable to pay to each and every such Passenger, instead of victualling him, Subsistence Money, after the Rate of One Shilling in respect of each Day of Delay, until the actual clearing out and final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned (1); provided, however, that such Subsistence Money shall not be payable in lieu of victualling in respect of any unavoidable Detention by Wind or Weather, and also shall not be payable to any Passenger who shall, with his own Consent, be suitably lodged and maintained on shore at the Expence of the Parties who are bound to provide him with a Passage.

Subsistence
in case of
Detention.

Sect. 24. And be it enacted, That the Master of any Ship carrying Passengers under the Provisions of this Act shall not land or put on shore, or cause to be landed or put on shore, any Passenger, without his previous Consent, at any Port or Place other than the Port or Place at which he may have contracted to land or put such Passenger on shore. (2)

Passengers not
to be landed
without their
Consent at any
other Place.

Sect. 25. And be it enacted, That at the Close of any such Voyage as aforesaid every Person arriving as a Passenger at any Port or Place shall, during the Space of Forty-eight Hours next after such Arrival, be entitled to continue on board such Ship, and to be provided for and maintained on board the same, in such and the same Manner as during such Voyage, unless in the ulterior Prosecution of her Voyage any such Ship shall quit any such Port or Place within the said Period of Forty-eight Hours. (3)

Passengers to
be maintained
for Forty-eight
Hours after
their Arrival.

Sect. 26. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall afford to the Government Agent for Emigration, or to the proper Officer of Customs at any Port or Place in Her Majesty's

Facilities to be
given to the
proper Officers
for Inspection
of Ship, &c.

(1) See § 29.

(2) For Penalty, see § 27.

(3) For Penalty, see § 27.

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Dominions from which such Ship shall sail, or at which such Ship shall touch during the Voyage, or at which such Ship shall arrive at the End of such Voyage, and to Her Majesty's Consul at any Port or Place at which such Ship shall arrive, being in a Foreign Country, every Facility for the Inspection of the Ship, and for Communication with the Passengers, and for ascertaining that the Act has been duly observed. (1)

Penalties.

Sect. 27. And be it enacted, That if in any Ship carrying Passengers on any such Voyage as aforesaid such Lower Deck or Platform of such Thickness as herein-before directed shall not be laid and continued throughout the whole Duration of any such Voyage in such Manner as is herein-before required (2); or if the Height between such Lower Deck or Platform and the Upper Deck shall be less than Six Feet (3); or if there shall be more than Two Tiers of Berths; or if such Berths shall not be securely constructed, or shall not be of the Dimensions herein-before required; or if there shall not be throughout the whole Duration of any such Voyage such an Interval as is herein-before prescribed between the Deck and the Floor of the Berths (4); or if any such Ship shall clear out and put to Sea not having on board Tanks or sweet Casks of such Size and Number as aforesaid, and such Water and Provisions as aforesaid, for the Use and Consumption of the said Passengers, of the Kind and to the Amount and in the Proportion herein-before required; or if such Water and Provisions shall not be issued in manner herein-before required (5); or if such Ship shall not be provided with good Boats according to the Rates aforesaid (6); or if Copies of this Act shall not have been kept on board and produced on Demand as herein-before required (7); or if there shall not be on board any such Vessel such Medical Practitioner as aforesaid, or such Medicines and other Things necessary to the Medical Treatment of the Passengers as is herein-before required (8); or if any such Ship shall be cleared out before such List of Passengers as herein-before mentioned shall have been delivered in manner and form aforesaid to such Officer as aforesaid (9); or if the Additions to such List and such additional separate List or Lists as aforesaid be not made in the Cases aforesaid, and delivered in the Cases in which they are herein-before required to be delivered (10); or if any such List, or the Additions to the same, shall be wilfully false (11); or if any such List, including the Additions, if any, to the same, shall not be exhibited to or deposited with the proper Officer at any Port or Place at which

(1) For Penalty, see § 27.

(3) See § 4.

(6) See § 13.

(9) See § 17.

(4) See § 5.

(7) See § 14.

(10) See § 18.

(2) See § 3.

(5) See § 6.

(8) See § 15.

(11) See §§ 17, 18.

it is herein-before required to be exhibited or deposited (1); or if any Passenger shall, without his previous Consent, be put on shore at any Place other than the Place at which the Master had contracted to land such Passenger (2); or if any Passenger shall not be allowed to continue on board such Ship in manner herein-before provided (3); or if every such Facility for Inspection shall not be afforded as is herein-before required (4), the Master of any such Ship shall for and in respect of each and every such Offence be liable, on such summary Conviction as herein-after mentioned, to the Payment of a Fine not exceeding Fifty Pounds Sterling *British Money*.

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Sect. 28. Provided nevertheless, and be it enacted, That nothing herein contained shall take away or abridge any Right of Suit or Action which may accrue to any Passenger in any such Ship, or to any other Person in respect of the Breach or Nonperformance of any Contract made or entered into between or on behalf of any such Passenger or other Person and the Master, Owner or Owners, of any such Ship.

The Right of Action of Passengers not to be taken away or abridged.

Sect. 29. And be it enacted, That all Penalties imposed by this Act for any Offence against the same may be sued for and recovered to the Use of Her Majesty as herein-after is mentioned; (that is to say,) in the United Kingdom by any Government Emigration Agent, or any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized in Writing by the Commissioners of Her Majesty's Customs to sue for Penalties under this Act; and in any of Her Majesty's Possessions abroad, by any such Government Agent, Collector, or Comptroller, or other Officer so authorized as aforesaid, and also by any Officer authorized to sue for Penalties under this Act, by Writing under the Hand and Seal of the Governor or Officer administering the Government of any such Possession; which respective Authorities the Commissioners of Her Majesty's Customs and such Governors or other Officers are hereby empowered to grant; and all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, or Compensation, may be sued for and recovered, as herein-after is mentioned, by or to the Use of any Passenger entitled thereto under this Act, or by any of such Officers as aforesaid, on behalf and to the Use of any such Passenger, or on behalf and to the respective Use of any Number of such Passengers, and either by One or several Complaints; and all such Penalties and Sums of Money may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions in which the Offence shall have been

Recovery of Penalties.

(1) See § 17.

(3) See § 25.

(2) See § 24.

(4) See § 26.

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committed or the Cause of Complaint shall have arisen, or in which the Offender or Party complained against shall happen to be; and upon Complaint being made before any One Justice of the Peace as aforesaid he shall issue a Summons requiring the Party offending or complained against to appear on a Day and at an Hour and Place to be named in such Summons; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last House, Place of Residence or of Business, or on board any Ship to which he may belong; and either upon the Appearance or Default to appear by the Party offending or complained against it shall be lawful for any Two or more Justices to proceed summarily upon the Case, and either with or without any written Information; and upon Proof of the Offence or of the Complainant's Claim (as the Case may be), either by Confession of the Party offending or complained against, or upon the Oath of One or more credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), it shall be lawful for such Justices to convict the Offender or adjudicate the Complaint, and upon such Conviction or Adjudication to order the Offender or Party complained against to pay such Penalty, within the Limits herein-before expressed, as the Justices may declare to have been incurred, or (as the Case may be) to pay to the Party suing for the same the Sum of Money sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, and also to pay the Costs attending the Information or Complaint, Summons, Conviction, or Adjudication; and if forthwith upon any such Order the Monies thereby ordered to be paid be not paid, the same may be levied, together with the Costs of the Distress and Sale, by Distress and Sale of the Goods and Chattels of the Party ordered to pay such Monies, the Surplus, if any, to be returned to him, upon demand; and any such Justices may issue their Warrant accordingly, and may also order such Party to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Party give sufficient Security, to the Satisfaction of such Justices, for his Appearance before them on the Day appointed for such Return, such Day or Days not being more than Eight Days from the Time of taking such Security; but if it shall appear to such Justices, by the Admission of such Party or otherwise, that no sufficient Distress can be had whereon to levy the Monies so adjudged to be paid, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, or any Two or more such Justices, as aforesaid, then such Justices shall by Warrant cause the Party ordered to pay such Monies and Costs as aforesaid to be committed to Gaol, there to remain without Bail for any Term not exceeding Three

Months, unless such Monies and Costs ordered to be paid, and such Costs of Distress and Sale as aforesaid, be sooner paid and satisfied.

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Sect. 30. And be it enacted, That if in any Proceeding before any Justice or Justices under this Act, or upon any Action, Suit, or other Proceeding whatsoever against any Person or Persons for any thing done either contrary to or in pursuance of this Act, a Question should arise whether any Person is a Government Emigration Agent, or an Officer of the Customs, *vivâ voce* Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence.

Vivâ voce Evidence may be given of a Party being a Government Agent or Officer.

Sect. 31. And be it enacted, That any Passenger suing, as herein-before is mentioned, for any Sum of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, or Compensation, shall not be deemed an incompetent Witness in any Proceeding for the Recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own Use and Benefit.

Passengers suing not incompetent Witnesses.

Sect. 32. And be it enacted, That where any Distress shall be made for any Penalty, Monies, or Costs to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by the Party so distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not to be unlawful for Informality.

Sect. 33. And be it enacted, That no Plaintiff shall recover in any Action against any Person for any thing done in pursuance of this Act if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Tender of Amends.

Sect. 34. And be it enacted, That no Action or Suit shall be commenced against any Person for any thing done in pursuance of or under the Authority of this Act until Twenty-one Days Notice has been given thereof in Writing to the Party or Person against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in

Notice of Action to be given.

Limitation of Actions.

PASSENGERS.

any other Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or if any Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action Judgment shall be given for the Defendant thereon, then and in any of the Cases aforesaid such Defendant shall and may recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Defendant may
plead the General
Issue, &c.

Costs.

Owners or
Charterers and
Masters of Vessels
to enter into
Bond (without
Stamps) for the
due Performance
of the Regulations
prescribed by this
Act.

Sect. 35. And for the more effectually securing the Observance of the aforesaid Rules, and the Payment of the Penalties, be it enacted, That before any Ship carrying Passengers, if the Number of such Passengers shall exceed Fifty, shall clear out for any such Voyage as aforesaid from any Port or Place in the United Kingdom or in the herein-before mentioned Islands, the Owner or Charterer, or, in the event of the Absence of such Owner or Charterer, One good and sufficient Person on his Behalf, to be approved by the Collector or chief Officer of Customs at such Port, and the Master of the said Ship, shall enter into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds, the Condition of which Bond shall be that the said Ship is seaworthy, and that all and every the Rules and Regulations made and prescribed by this Act for the Carriage of Passengers shall be well and truly performed before and during such intended Voyage, and that all Penalties, Fines, and Forfeitures which the Master of such Ship may be sentenced or adjudged to pay for or in respect of the Breach or Nonperformance, before or during such Voyage, of any such Rules and Regulations, shall be well and truly paid: Provided always, that such Bond shall be without Stamps; and that no such Bond shall be put in Suit, and that no Prosecution, Suit, Action, Information, or Complaint shall be brought under or by virtue of this Act, or upon or by reason of the Breach of any of the Provisions thereof, in any of Her Majesty's Possessions abroad, after the Expiration of Twelve Calendar Months next succeeding the Commencement of any such Voyage as aforesaid, nor in the United Kingdom, or any of the Islands before mentioned, after the Expiration of Twelve Calendar Months next after the Return of the said Ship or of the said

Limitation of
Prosecutions.

Master to the United Kingdom or the herein-before mentioned Islands.

PASSENGERS.

Sect. 36. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to Ships carrying Passengers on such Voyage as aforesaid if the Number of such Passengers shall not amount to or exceed Thirty, nor shall any thing in this Act contained extend to any of Her Majesty's Ships of War, or to any Ship in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, or to Ships of War or Transports in the Service of the *East India Company*.

Exception of particular Kinds of Ships.

Sect. 37. And whereas it is expedient to provide in certain Cases for the Regulation of Voyages from the Colonies; be it therefore enacted, That this Act shall, except as herein-after is excepted, extend and apply to the Carriage of Passengers by Sea from any of the *British West Indies*, in which Term are included the *British West India* Islands, the *Bahamas*, and *British Guiana*, and from *Malta*, and from the *British Possessions in Africa*, and from the *Mauritius*, to any other Place whatsoever.

Extension of Act to West Indies, Western Africa, Malta, and the Mauritius.

Sect. 38. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any *British Colony* not enumerated in the Enactment lastly herein-before contained to declare by Proclamation, to be issued for that Purpose, that this Act, except as herein-after is excepted, shall be extended and shall apply to the Carriage of Passengers by Sea from such Colony to such Places as may by him be named for the Purpose in such Proclamation, and thereupon this Act shall be thenceforth so extended and shall so apply accordingly.

Power to Governors of other Colonies to adopt the Act.

Sect. 39. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any of the *British Colonies* to which this Act, as respects the Carriage of Passengers by Sea therefrom, has been hereby extended, or shall have been extended by Proclamation as herein before is mentioned (1), by any Proclamation or Proclamations to be by him from Time to Time issued for that Purpose, to declare the Rule of Computation by which the Length of the Voyage of any Ship carrying Passengers from such Colony to any other Place shall be estimated for the Purposes of this Act: Provided nevertheless, that this Act shall not, except as respects the *West Indies*, and except as herein-after is mentioned, extend or apply to any such Voyage, if the Length thereof so computed shall not be Three Weeks or upwards.

Governors empowered to declare computed Length of Voyage.

Proviso.

(1) See § 38.

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The Governor, &c. may issue Proclamation substituting other Articles of Food, &c. if equivalent.

Sect. 40. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any of the *British* Colonies to which this Act has, as respects the Carriage of Passengers by Sea therefrom, been hereby extended, or shall have been so extended by Proclamation as herein-before is mentioned, by any Proclamation or Proclamations to be by him from Time to Time issued for that Purpose, to substitute for the Articles of Food and Provisions specified in this Act (1) such other Articles of Food and Provisions as shall be a full Equivalent for the same.

Such Proclamation to be transmitted for Her Majesty's Confirmation or Disallowance.

Sect. 41. Provided always, and be it enacted, That every such Proclamation as aforesaid, or as herein-after is mentioned, shall be transmitted by the Governor or Officer by whom the same may have been issued to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Majesty's Confirmation or Disallowance; and in case the same shall be disallowed by any Order to be made by Her Majesty for that Purpose, with the Advice of Her Privy Council, then from and after the Promulgation of any such Order in Council within any such Colony any such Proclamation shall cease to be of any Force or Authority, but until so disallowed the same shall be duly observed and obeyed: Provided also, that on the Production at any One of the Colonies aforesaid of an attested Copy of any such Proclamation as aforesaid, or as herein-after is mentioned, under the Hand of the Governor or the Officer administering the Government of the Colony wherein the same may have been issued, and under the public Seal of such Colony, such attested Copy shall, in the Colony wherein the same shall be so produced, be received as good and sufficient Evidence of the issuing and of the Contents of any such Proclamation.

Attested Copy of such Proclamation to be received as Evidence in the Colony in which it may be produced.

Powers for determining the Seaworthiness of any Ship vested in Governors, &c.

Sect. 42. And be it enacted, That all the Powers and Authorities (2) which are herein-before vested in the Collector and Comptroller of the Customs, for determining the Seaworthiness of any Ship carrying Passengers from any Port in the United Kingdom, shall, in respect of any Ship carrying Passengers from any Port in any of the Colonies aforesaid, be and the same are hereby vested in the respective Governors or Officers administering the Government of the said Colonies respectively.

No Bond required for Voyages from the Colonies.

Sect. 43. Provided always, and be it enacted, That as respects Voyages from the Colonies it shall not be necessary for the Master, Owner, or Charterer of any Ship carrying Passengers on any such Voyage to enter into any such Bond as is herein-before required to be entered into by the Master and Owner or

(1) See § 6.

(2) See § 12.

Charterer of any Ship carrying Passengers on any such Voyage as herein-before is mentioned. PASSENGERS.

Sect. 44. Provided also, and be it enacted, That the Provisions of this Act shall not extend or apply to Voyages from the Colonies, so far as relates to the following Subjects; (namely,) Exception of certain Provisions of this Act in the Case of Voyages from the Colonies.

The keeping Copies of the Act on board :

The Use of the Form of Receipt herein-before required to be given for Passage Money :

The licensing of Passage Brokers :

The Return of Passage Money and Compensation, in case the Party cannot be forwarded by the appointed Ship, or by some other eligible Vessel, and victualling or the Payment of Subsistence Money in case of Detention.

Sect. 45. Provided always, and be it enacted, That, except as herein-before is excepted with respect to Voyages from the Colonies, the Provisions and Regulations of this Act shall extend and apply to Voyages from the *West Indies* of less Duration, so computed as aforesaid, than Three Weeks, but being of not less Duration, so computed as aforesaid, than Three Days, save and except so far as relates to the following Subjects; (namely,) Extension of the Act, with further Exceptions, to Voyages shorter than Three Weeks in the West Indies.

The Construction or Thickness of the lower Deck or Platform :

The Berths :

The Height between Decks :

The Surgeon and Medicine Chest :

The Maintenance of Passengers for Forty-eight Hours after Arrival :

Provided also, that as respects such Voyages from the *West Indies* of less computed Duration than Three Weeks, the Owner or Charterer of a Ship may, if he think fit, contract with the Passengers engaging Passages therein, that they shall respectively provide themselves with necessary Food (not including Water) for the Voyage; and in such Case the Regulations of this Act respecting the Issue of Provisions by the Master shall not be applicable to such Passengers on such Voyage.

Sect. 46. Provided also, and be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any *British* Colony (other than the *West Indies*) to which this Act, as respects the Carriage of Passengers by Sea therefrom, has been hereby extended, or shall hereafter be extended by Proclamation as herein-before is mentioned, by the same, or by any subsequent Proclamation to be by him issued for that Purpose, to declare that the Enactment herein-before contained respecting Voyages from the *West Indies* of shorter Duration than Three Weeks shall extend and apply to Power to Governors of other Colonies to adopt the same Extension of the Act to Voyages shorter than Three Weeks.

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Voyages from the Colony in respect of which such Proclamation shall be issued, such Voyage being of less Duration, so computed as aforesaid, than Three Weeks, but not of less Duration, so computed as aforesaid, than Three Days; and thereupon such Enactment shall extend and apply to such Voyage accordingly.

This Act not to prevent the Enactment by Colonial Assemblies, or by Her Majesty in Council, of Laws necessary for establishing the Rules and Regulations required by said recited Act and this Act.

Sect. 47. And be it enacted, That nothing in this Act contained extends or shall be construed to extend to prevent the Enactment by the respective Governors, Councils, and Assemblies, or other local Legislatures in the *British West Indies* and *South America*, and in the *Bahama Islands*, and in *Bermuda*, or by Her Majesty, with the Advice of Her Privy Council, of any such Acts of General Assembly, or Ordinances, or Orders in Council, as may be requisite for making and establishing such several Rules and Regulations as are required by this Act, or any of them, or for carrying the same into full and complete Effect: Provided nevertheless, that it shall not be lawful for any such Governor, Council, and Assembly, or for any such local Legislature, or for Her Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any Enactment, Provision, Rule, or Order which shall be in anywise repugnant or contradictory to this Act or any Part thereof, but that every such Enactment, Regulation, Provision, Rule, or Order shall be and is hereby declared to be absolutely null and void and of no Effect.

Power to the Governor General of India in Council to adopt this Act, with certain Exceptions, in India.

Sect. 48. Provided always, and be it enacted, That nothing herein-before contained shall be construed to apply to any of the Territories or Places under the Government of the *East India Company*, or to any of the Governors appointed by the said Company; nor shall any thing herein-before contained affect or be construed to affect the Powers now vested in the Governor General of *India* in Council to make Laws and Regulations whereby the Provisions of this Act, or such of them as to the said Governor General of *India* in Council shall seem expedient, shall or may be extended to the Territories and Places under the Government of the said Company, or for or in respect of which the said Governor General in Council has now by Law a Power of Legislation; but it is hereby enacted, that it shall be lawful for the Governor General of *India* in Council, from Time to Time, by any Act or Acts to be passed for that Purpose, to declare that this Act, with such Exceptions as are herein-before mentioned, shall extend and apply to the Carriage of Passengers upon any Voyage from any Ports or Places within the Territories of the *East India Company*, to be specified or described in such Act or Acts, to any other Places whatsoever, to be also specified or described in such Act or Acts, and also in like Manner to authorize the Substitution, as

respects such Voyages, of other equivalent Articles of Food and Provisions for those herein-before enumerated, and to declare the Rule of Computation by which the Length of any such Voyage shall be estimated, and to confer the Powers herein-before conferred upon Government Emigration Agents, and Collectors and Comptrollers of the Customs, with respect to ascertaining and deciding on the Seaworthiness of a Ship, upon such Officers of the *East India* Company as the said Governor General in Council may think proper; and from and after the passing of such Act or Acts, and whilst the same shall remain in force, this Act shall, with such Exceptions as are herein-before made as respects Voyages from the Colonies, apply to and extend to the Carriage of Passengers upon such Voyages as in the said Act or Acts shall be specified; which Acts shall nevertheless be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, and be laid before both Houses of Parliament, as in the Case of any other Laws or Regulations which the said Governor General in Council is now by Law empowered to make.

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Sect. 49. And be it enacted, That it shall be lawful for the Governor General of *India* in Council, from Time to Time, by any Act or Acts to be passed for that Purpose, to declare in what Manner, and before what Authorities, and by what Form of Proceedings, the Penalties imposed and the Sums of Money made recoverable by this Act shall be sued for and recovered within any Places or Territories under the Government of the *East India* Company, and to what Uses such Penalties shall be applied.

Mode of proceeding for Recovery of Penalties in *India* to be regulated by the Governor in Council.

Sect. 50. And be it enacted, That the Provisions, Regulations, Penalties, and Forfeitures set forth in this Act shall extend and be deemed to extend to Foreign Vessels carrying Passengers upon any Voyage from any Port or Place in the United Kingdom, or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, or upon any other Voyage to which the Provisions of this Act shall for the Time being extend.

Act to extend to Foreign Vessels.

Sect. 51. And be it enacted, That wherever the Term "Passage" or "Passenger" is used in this Act, it shall be held not to include or extend to the Class of Passages or Passengers commonly known and understood by the Name of Cabin Passages and Cabin Passengers.

Act not to extend to Cabin Passengers.

Sect. 52. And be it enacted, That in the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, every Word importing the Singular

Interpretation of Act.

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Number or the Masculine Gender only shall be understood to include and shall be applied to several Persons, Matters, or Things, as well as One Person, Matter, or Thing, and Females as well as Males respectively.

Title of the
Act.

Sect. 53. And be it enacted, That in all Proceedings it shall be sufficient to cite this Act by the Title of " The Passengers Act."

Commence-
ment of Act.

Sect. 54. And be it enacted, That this Act shall commence on the First Day of *October* One thousand eight hundred and forty-two, and not sooner.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Referred to in the 17th Section of the Passengers Act.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of superficial Feet in the several Compartments set apart for Steerage and Intermediate Passengers.	Total Number of Statute Adults the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship,
according to the _____ Section of the Passengers Act, are sufficient
for _____ Passengers, computed according to the Act.

(Signed) _____

Master.

Date _____

NOMINAL LIST of PASSENGERS.*

[illegible]

* We hereby certify the above is a correct List of all the Passengers who embarked at the Port of _____

(Signed) _____ Master.

(Countersigned) _____ Officer of Customs.

N. B.—Lines should be ruled in the same Form, for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

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SCHEDULE (B.) referred to in the 19th Section of this Act.

PASSENGERS CONTRACT TICKET.

N.B.—Any one receiving Money from or in respect of any Passenger about leaving the United Kingdom for any Place in North America, without using this Form, and correctly filling up the Blanks therein, and signing it with his Name in full, will be liable to a Penalty not exceeding £10 for each such Passenger.

Ship _____ of _____ Tons Register Burden,
to sail from _____ for _____ on the _____
Day of _____ 18 _____.

Names.	Ages.	Equal to Statute Adults.

I engage that the Parties herein named shall be provided with a Steerage Passage to _____ in the Ship _____ with not less than Ten Cubic Feet for Luggage for each Statute Adult, for the Sum of £ _____ including Head Money, if any, at the Place of landing, and every other Charge; and I hereby acknowledge to have received the Sum of £ _____

in _____ full _____ part Payment.

Water and Provisions according to the annexed Scale will be supplied by the Ship, as required by Law, and also Fires and suitable Hearths for cooking.

Utensils for eating and drinking will be provided by _____.*

Bedding will be provided by _____.*

Signature _____

{ N.B.—If signed
by a Broker or
Agent, state on
whose Behalf.

Date _____

[At End of this Contract insert the Victualling Scale, which must in no Case be less than required under the Provisions of the Passengers Act.]

Deposit £ _____

Balance £ _____ to be paid at _____

Total £ _____

* Fill up these Blanks by stating, in each Case, whether the Articles are to be supplied by the Ship or by the Passenger.

PASSENGERS.

SCHEDULE (C.) referred to in the 20th Section of this Act.

FORM of PASSENGER BROKER'S LICENCE.

*A.B.** of _____ in the _____
 having shown to the Satisfaction of us, the undersigned Justices
 of the Peace in _____ Quarter _____ Sessions assembled, That he hath duly
 given Notice to Her Majesty's Colonial Land and Emigration
 Commissioners of his Intention to make Application for a
 Licence to carry on the Business of a Passage Broker or Passage
 Dealer in respect of Passages to North America: We, the
 undersigned Justices so assembled as aforesaid, and having had
 no sufficient Cause shown to us why the said *A.B.* should not
 receive such Licence, do hereby license and authorize the said
A.B. to carry on the Business of a Passenger Broker or Passage
 Dealer as aforesaid, until the 31st Day of December in the
 Year following the present Year, unless this Licence shall be
 sooner determined by Forfeiture for Misconduct on the Part
 of the said *A.B.*, as in the Passengers Act is provided.

* The Names in full, with the Additions and Address of the Party applying for the Licence, must be correctly inserted.

Given under our respective Hands and Seals, this
 Day of _____ 18 _____ at _____

 (L.S.)
 Justice of the Peace.

 (L.S.)
 Justice of the Peace.

SCHEDULE (D.) referred to in the 20th Section of this Act.

FORM of NOTICE to be given by Passage Broker to Her
 Majesty's Colonial Land and Emigration Commissioners.

Gentlemen,
 I *A.B.* of _____ in _____ do
 hereby give you Notice, That it is my Intention to apply, after
 the Expiration of Twenty-one clear Days from the putting of
 this Notice into the Post, to the Justices to be assembled in the
 Quarter _____ Sessions to be held for _____

N.B.—The Names in full, with the Additions and Address of the Party, must be here correctly inserted.

_____ for
 a Licence to carry on the Business of a Passenger Broker or
 Passage Dealer in respect of Passages to North America.

N.B.—Name the Place or District in which the Party giving the Notice resides.

Signature _____

Date _____

To Her Majesty's Colonial Land and }
 Emigration Commissioners. }

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SCHEDULE (E.) referred to in the 21st Section of this Act.

FORM of NOTICE to be given to Her Majesty's Colonial Land and Emigration Commissioners of Forfeiture of Passage Broker's Licence.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the _____ Day of _____ 18____, to *A.B.* of _____ in _____ to act as a Passage Broker or Passage Dealer was on the _____ Day of _____ of _____ now last past duly declared by us, the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.

The Names in full, with the Additions and Address of the Party, to be here inserted.

Here state the Reason of Forfeiture.]

Signatures _____

Date _____

To Her Majesty's Colonial Land and Emigration Commissioners, }
London.

8th VICT. Cap. 14.

An Act to exempt Ships carrying Passengers to *North America* from the Obligation of having on board a Physician, Surgeon, or Apothecary. [8th May 1845.]

WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels*, Ships carrying Passengers to *North America* were exempted from the Obligation of having on board a Physician, Surgeon, or Apothecary, as required by the said Act in other Cases therein specified: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen*, it is, among other things enacted (1), that every Ship having One hundred Persons or upwards on board, and every Ship, the Voyage of which shall exceed Twelve Weeks, having Fifty Persons or upwards on board, shall have on board, as one of her Complement, some Person duly authorized by Law to practise in this Kingdom as a Physician, Surgeon, or Apothecary, whereby the Exemption granted by the first-recited Act to Ships carrying Passengers to the Continent of *North America* has been taken away in all Cases where the total Number of Persons on board any such Ship shall amount to One hundred and upwards; and it is expedient that such Exemption be preserved: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the last-recited Act as enacts that Ships, as defined in the last-recited Act, carrying Passengers, according to the Provisions of the first-recited Act, from any Port or Place in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to the East Coast of the Continent of *North America*, shall have on board a Physician, Surgeon, or Apothecary as often as the total Number of Persons on board any such Ship shall amount to One hundred and upwards, shall be repealed.

5 & 6 Vict. c. 107.

7 & 8 Vict. c. 112.

So much of 7 & 8 Vict. c. 112. as requires Ships carrying Passengers to the East Coast of North America to have Surgeons, &c. on board when the Number of Persons amount to 100 repealed.

Sect. 2. And be it enacted, That any Person against whom any Proceeding or Proceedings shall have been commenced, on or before the Day of the passing of this Act, for the Recovery of any pecuniary Penalty incurred or supposed to have been incurred, under the Provisions of the last-recited Act, for any Breach or Non-observance of so much of the last-

Proceedings for Recovery of Penalties shall be stayed.

(1) See § 18. of that Act, Appendix.

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recited Act as is herein repealed, may apply to the Court in which, or to any Justice or Justices of the Peace before whom, any such Proceeding or Proceedings shall have been commenced, for an Order that such Proceedings shall be discontinued but upon Payment of the Costs thereof incurred to the Time of such Application being made, in case such Proceeding shall have been commenced before the Seventeenth Day of *April* in this Year, such Costs to be taxed according to the Practice of the Court, or at the Discretion of the Justice or Justices before whom such Proceeding shall have been had; and every such Court or Justice or Justices, upon such Application and Proof that sufficient Notice of the Application has been given to the Plaintiff or Informer, or to his Attorney, and upon being satisfied, by Affidavit or otherwise, that such Proceedings have been commenced for the Recovery of such pecuniary Penalty as aforesaid, shall make such Order as aforesaid; and upon the making such Order as aforesaid, and on Payment or Tender of such Costs as aforesaid, where Costs are herein-before made payable, all further Proceedings for the Recovery of any such pecuniary Penalty shall be forthwith discontinued.

Act may be
amended, &c.

Sect. 3. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

4^o GEO. 4. Cap. 88.

An Act for regulating Vessels carrying Passengers between *Great Britain* and *Ireland*. [18th July 1823.]

WHEREAS it is expedient that such Regulations should be made respecting Vessels carrying Passengers between *Great Britain* and *Ireland* as may tend to the Security and Convenience of such Passengers; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *September* One thousand eight hundred and twenty-three, it shall not be lawful for the Master or Commander or Person having the Charge or Command of any Vessel employed in the Conveyance of Passengers between *Great Britain* and *Ireland*, being of any Burthen less than Two hundred Tons(1), to have or take on board, or to carry or convey any greater Number of Persons than Twenty as Passengers from any Port in *Great Britain* to any Port in *Ireland*, or from any Port in *Ireland* to any Port in *Great Britain*, unless a Licence for the Conveyance of Passengers shall have been previously granted to the Owner or Owners, or Master or Commander of such Ship or Vessel, under the Hand of the Collector, Comptroller, or other Chief Officer of the Customs, at the Port from which such Vessel shall sail from *Great Britain* to *Ireland*, and from *Ireland* to *Great Britain* respectively; and it shall be lawful for every such Collector, Comptroller, or other Chief Officer of the Customs, to grant and sign such Licence without Fee or Reward, in such Form and under such Regulations as shall be directed by the Commissioners of Customs: Provided always, that no such Licence shall be granted by such Collector, Comptroller, or other Chief Officer, except upon such Certificate as shall be required by the Commissioners of the Customs, that such Vessel is Sea-worthy and properly found in all respects; and every such Licence shall remain in force for the Space of One Year from the Date thereof, and no longer.

No Captain of any Vessel under 200 Tons shall take more than 20 Passengers unless licensed by Collector of Customs at the Port.

Sect. 2. And be it further enacted, That it shall not be lawful for any Master or other Person having or taking the Charge or Command of any Ship or Vessel so licensed for the Conveyance of Passengers, which shall clear out from any Port or Place in the United Kingdom of *Great Britain* and *Ireland*, from and

Proportion of Passengers, Five adult Persons (or 10 Children under 14, or 15 under

(1) Steam Vessels of 140 Tons are deemed equivalent to other Vessels measuring 200 Tons. See 4 & 5 W. 4. c. 89. § 28., Appendix, Head, Passengers.

PASSENGERS TO
IRELAND.

Seven Years)
to Four Tons,
including the
Crew.

Tonnage
according to
Certificate of
Registry.

If Ship partly
laden with
Goods, &c. the
Tonnage for
Passengers to
be exclusive of
the Part laden.

Penalty on
Master or
Owners taking
Passengers
without Li-
cence, 50*l*.

On taking more
Passengers than
allowed, 5*l*. for
each Person.

after the First Day of *September* One thousand eight hundred and twenty-three, to have on board at or after being cleared out at any one Time, or to convey, carry, or transport from any Port or Place in *Great Britain* or *Ireland* respectively, in any such Ship or Vessel, a greater Number of Persons (exclusive of the ordinary Crew of such Ship or Vessel) than in the Proportion of Five adult Persons, or of Ten Children under Fourteen Years of Age, or of Fifteen Children under Seven Years of Age, for every Four Tons of the Burthen of such Ship or Vessel; and every such Ship or Vessel shall be deemed and taken to be of such Tonnage or Burthen as is or may be described and set forth in the respective Certificate of the Registry of each and every such Ship or Vessel, granted in pursuance of the several Acts in force in *Great Britain* and *Ireland* respectively, relating to such Certificates; and if any such Ship or Vessel shall be partly laden with Goods, Wares, or Merchandize, or Horses or Carriages, then it shall not be lawful for the Master or other Person having the Charge or Command of such Ship or Vessel, to receive or take on board a greater Number of Persons (exclusive of the ordinary Crew) than in the Proportion of Five adult Persons, or of Ten Children under Fourteen Years of Age, or of Fifteen Children under Seven Years of Age, for every Four Tons of that Part of such Ship or Vessel which shall remain unladen; and such Goods, Wares, or Merchandize with which such Ship or Vessel may be partly laden shall, at the Sight and under the Direction of the Collector or Comptroller or other Officer of the Customs, at the Port or Place where such Goods, Wares, or Merchandize shall be taken on board, be stowed and disposed of in such a Manner as to leave good, sufficient, and wholesome Accommodation for the Proportion of Persons hereby allowed in such Case to be received on board.

Sect. 3. And be it further enacted, That if any Master or any Person having the Charge or Command of any such Ship or Vessel shall take on board any Passenger or Passengers, or if the Owner or Owners of any such Ship or Vessel shall engage to take on board any Passenger or Passengers beyond the Number of Twenty as aforesaid, without such Licence being previously obtained by such Master, Owner, or other Person as by this Act is required, every such Master or other Person, or Owner or Owners, shall for every Offence forfeit the Sum of Fifty Pounds; and if any Master or other Person having or taking the Charge or Command of any such Ship or Vessel, shall take on board, or if such Master or other Person, or the Owner or Owners of any such Ship or Vessel, shall engage to take on board, a greater Number of Persons than in the Proportion allowed by this Act, such Master or other Person as aforesaid shall forfeit and pay the Sum of Five Pounds for each and every or any such Person, exceeding in Number the Pro-

portion herein-before limited; and every such Ship or Vessel so having on board, or conveying or carrying any greater Number than Twenty Persons without such Licence as aforesaid first had and obtained, shall and may be seized and detained by the Collector, Comptroller, Surveyor, or Officer of the Customs, until such Penalty of Fifty Pounds shall be satisfied and paid.

Sect. 4. And be it further enacted, That from and after the First Day of *September* One thousand eight hundred and twenty-three, it shall not in any Case be lawful for any Master or other Person taking or having the Charge or Command of any Trading or Coasting Ship or Vessel not being wholly employed in the Conveyance of Passengers, and not licensed to carry any Passengers pursuant to this Act, whether such Ship or Vessel shall be laden in Part or in the Whole with Goods and Merchandize, not being the Baggage of or belonging to any Passengers in such Ship or Vessel, or shall be employed in the Carriage or Conveyance of Cattle or Pigs, or shall be in Ballast, and which shall sail from any Port or Place in *Great Britain* to any Port or Place in *Ireland*, or from any Port or Place in *Ireland* to any Port or Place in *Great Britain*, to have or take on board a greater Number of Persons than Ten (exclusive of the ordinary Crew of such Ship or Vessel), if such Ship or Vessel shall be of the Burthen of One hundred Tons or under, nor a greater Number of Persons than Twenty (exclusive of the ordinary Crew), if such Ship or Vessel shall be of a Burthen greater than One hundred Tons, and not exceeding the Burthen of Two hundred Tons; and if more Persons shall be found or taken on board any such Ship or Vessel than in the Proportion herein allowed, every such Master or other Person as aforesaid shall forfeit and pay the Sum of Five Pounds for every Person so taken on board beyond such Proportion.

Sect. 5. And be it further enacted, That an Abstract of this Act shall be prepared and printed by and under the Direction of the Commissioners of His Majesty's Customs, and a printed Copy of such Abstract shall be hung up in the Custom House of every Port of the United Kingdom, and a printed Copy of such Abstract, and also a Copy of the Licence granted to the Captain or Owners of such Ship or Vessel, and a Notice or Statement of the Number of Persons allowed to be carried and conveyed in such Vessel, shall be hung up and affixed in some conspicuous Place on the Deck and in the Cabin of every Ship or Vessel carrying Passengers under the Regulations of this Act; and the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall cause the said Copies to be kept and renewed, so that the same may be at all Times accessible to every Person on board such Ship or Vessel, upon Pain that every such Master or other Person having or

PASSENGERS TO
IRELAND.

Ship having more than 20 Passengers without Licence, may be detained till Penalty paid. Merchant Vessels, &c. shall not carry more than 10 Persons if of or under 100 Tons, or 20 if not exceeding 200 Tons.

Penalty 5*l.* for every Person beyond the Proportion.

Abstract of this Act, &c. shall be hung up at Custom House, and on board every Vessel.

PASSENGERS TO
IRELAND.

Penalty 10*l*.

Not to extend
to Vessels in
the Service of
Government,
&c.

Penalties may
be recovered
before One
Justice of the
Peace.

taking the Charge or Command of every such Ship or Vessel in which such Abstract, Licence, and Notice, or any of them, shall not be hung up or affixed, and shall not be renewed and remain as aforesaid, shall for every such Offence forfeit the Sum of Ten Pounds.

Sect. 6. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to Ships or Vessels in the Service of His Majesty, or of His Majesty's Postmaster General, or of the Commissioners of Customs and Excise, or of the *East India* Company, nor to any Ship or Vessel of the Burthen of Two hundred Tons or upwards, nor to any Ship or Vessel employed in carrying Troops.

Sect. 7. And be it further enacted, That all Penalties and Forfeitures for any Offence against this Act shall and may be recovered at any Time within Three Calendar Months after the Commission of such Offence, in a summary Way, by the Order and Adjudication of any One Justice of the Peace for the County or Place in which the Port shall be situate, from which any such Ship or Vessel shall depart, or at which any such Ship or Vessel shall arrive, on Complaint to such Justice for that Purpose exhibited; and such Penalty shall be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice; and such Justice is hereby authorized and required to summon before him any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath of and concerning such Offences, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Penalty or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned upon Demand to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalty or Forfeiture shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if, upon the Return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, then

it shall be lawful for such Justice, or any other Justice of the Peace for such County or Place as aforesaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain, without Bail or Mainprize, for any Term not exceeding Two Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of every such Penalty or Forfeiture, when so levied, shall be paid to the Person or Persons who shall sue or prosecute for the same, for his or her own Use and Benefit, and the other Moiety thereof to the Use of His Majesty, His Heirs and Successors.

PASSENGERS TO
IRELAND.

Half to the
Prosecutor, and
Half to the
King.

Sect. 8. Provided always, and be it enacted, That if any Person shall think himself or herself aggrieved by any Conviction in pursuance of this Act, it shall be lawful for such Person to appeal to the Justices of the Peace at the next General Quarter Session of the Peace to be holden for the County or Place, such Appellant (if there be sufficient Time after the Cause of such Complaint shall have arisen) first giving or causing to be given Ten Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justice whose Conviction shall be so appealed against, and within Seven Days next after such Notice entering into a Recognizance before the said Justice or some other Justice of the Peace for the County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of such Justices at Sessions thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General Quarter Sessions of the Peace to be holden for such County or Place; and the Justices at such First or Second Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper, and the Determination of such Justices at such Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes; and the said Justices at such Sessions may also, by their Warrant or Order, cause such Costs so awarded by Distress and Sale to be levied of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same; and for Want of sufficient Distress may commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Persons ag-
grieved may
appeal to
Quarter Ses-
sions.

PASSENGERS TO
IRELAND.

Proceedings not
to be quashed
for Want of
Form.

Sect. 9. And be it further enacted, That no Proceedings against, nor any Conviction of any Offender or Offenders against this Act, or by or before any Justice of the Peace, shall be quashed for Want of Form, nor be removed or removable by Certiorari, or any other Writ of Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends shall have been made by or on behalf of the Party distraining before such Action commenced.

Limitation of
Actions.

Sect. 10. And be it further enacted, That any Action or Suit which shall be brought or commenced against any Person or Persons for any thing done in pursuance and by the Authority of this Act shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought in the County, City, or Place where the Cause of Action shall arise, and not elsewhere; and that the Defendant or Defendants in such Action or Suit to be brought may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any County, City, or Place other than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action, or if a Verdict shall pass against the Plaintiff, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Double Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

General Issue.

Double Costs.

4° & 5° GUL. 4. Cap. 89.

An Act to amend the Laws relating to the Customs. (1)
 [15th August 1834.]

PASSENGERS.

Sect. 28. And whereas Steam Vessels, according to their Register Tonnage, afford greater Accommodation for Passengers on short Voyages than Sailing Vessels; be it therefore enacted, That for the Purposes of an Act passed in the Fourth Year of His late Majesty's Reign, intituled *An Act for regulating Vessels carrying Passengers between Great Britain and Ireland*, every Steam Vessel which is of the Register Tonnage of One hundred and forty Tons, or upwards, shall be deemed to be a Vessel of Two hundred Tons at least.

Tonnage of
 Steam Vessels
 carrying Pas-
 sengers to and
 from Ireland.

(1) This Act has been repealed with the Exception of the 28th Section here given.

2^o GUL. 4. Cap. 16.PERMITS.

An Act to consolidate and amend the Laws regulating the granting and issuing of Permits for the Removal of Goods under the Laws of Excise. [24th March 1832.]

All Goods removed without Permit to be forfeited, and the Person removing them to forfeit 200*l*.

Sect. 11. And be it further enacted, That all Commodities for the Removal whereof a Permit is required, which shall be or shall have been delivered, removed, or sent out, or which shall be found removing, carrying, or conveying, or which shall be received, without a proper Permit accompanying the same, shall be forfeited, and may be seized by any Officer of Excise; and every Carrier, Master of a Vessel, Boatman, and other Person who shall be found or shall knowingly have been employed or engaged in, or shall knowingly aid or assist or have aided or assisted in, delivering, removing, carrying, or conveying any such Commodities without a proper Permit accompanying the same, shall forfeit Two hundred Pounds.

[The other Sections of this Act are not required for the Purposes of this Publication.]

6^o Geo. 4. Cap. 125.

An Act for the Amendment of the Law respecting Pilots and Pilotage; and also for the better Preservation of Floating Lights, Buoys, and Beacons. [5th July 1825.]

PILOTAGE.

WHEREAS Ships and Vessels have frequently been wrecked, and many Lives and much Property have been lost, from the Ignorance or Misconduct of Persons taking charge of such Ships and Vessels as Pilots: And whereas the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood, of the most Glorious and Undivided Trinity, and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called "The Corporation of Trinity House of *Deptford Strond*," have, as well by Usage for more than Three Centuries, as by Grants from the Crown, been empowered to appoint Pilots, Loadsmen, or Guides, to conduct Ships and Vessels into and out of and upon the River of *Thames*, through the *North Channel*, to or by *Orfordness*, and round the *Long Sand Head*, or through the *Queen's Channel*, the *South Channel*, or other Channels, into the *Downs*, and from and by *Orfordness* and up the *North Channel*, and up the Rivers *Thames* and *Medway*, and the several Creeks and Channels belonging or running into the same, and to make such Orders and Constitutions as should be needful for the wholesome Government of Seafaring Men, and Maintenance and Increase of Navigation, and of all Seafaring Men within the said River of *Thames*; in pursuance of which Powers the said Corporation have from Time to Time appointed a sufficient Number of Pilots for the Purposes before mentioned, and made Orders for the better Regulation and Government of the same: And whereas there hath been Time out of Miud, and now is, a Society or Fellowship of Pilots of the Trinity House of *Dover*, *Deal*, and the *Isle of Thanet*, who have had the Pilotage and Loadmanage of all Ships from the said Places up the Rivers *Thames* and *Medway*, which said Society or Fellowship have been confirmed by various Acts of Parliament for regulating the Pilots of the Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called *Cinque Port Pilots*: And whereas by certain Acts of Parliament, and more particularly by an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act*

52 G. 3. c. 39.

PILOTAGE.

55 G. 3. c. 87.

52 G. 3. c. 39.

55 G. 3. c. 87.
and all Pro-
visions in other
Acts relating to
Pilots and
Pilotage re-
pealed ;

but not as to
Rates and
Penalties due
or incurred,
or Acts done
before the
Operation of
the Provisions
of this Act.

Notice of Ap-
pointment of
Pilots by the
Corporation of
Trinity House
of Deptford

Thanet, commonly called *Cinque Port Pilots*, as also in the Corporation of the Trinity House of the Ports of *Hull* and *Newcastle* respectively : And whereas a certain other Act of Parliament was passed in the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to relieve certain Foreign Vessels resorting to the Port of London, in respect of Pilotage, and to regulate the Mode of Payment of Pilotage on Foreign Vessels in the said Port* : And whereas the Provisions of the said Acts have been found inadequate and insufficient, and it is therefore expedient that the same should be repealed (except as herein-after provided), and that the several Provisions therein contained respecting Pilots and Pilotage should be improved and amended, and consolidated in One Law : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act passed in the Fifty-second Year of the Reign of His late Majesty, and also the said Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, and all and every the Clauses, Provisions, Powers, Penalties, Forfeitures, Matters, and Things, relating as well to Pilots appointed by the said Corporation of Trinity House of *Deptford Strond*, as to Pilots of the Fellowship of *Dover*, *Deal*, and the *Isle of Thanet*, and to the Pilotage by and Regulation of all such Pilots as aforesaid, and also as to the Conduct of all Persons in Matters of Pilotage, within the Jurisdiction of the said Corporation of Trinity House of *Deptford Strond*, and the Liberty of the Cinque Ports, which are contained in any Act or Acts of Parliament heretofore made, shall be and the same are hereby repealed : Provided always, that nothing in this Act contained shall extend or be construed to extend to repeal so much of the said Acts, passed in the Fifty-second and Fifty-fifth Years of the Reign of His late Majesty, or either of them, as relates to any Rates of Pilotage due or to become due, or to any Penalty or Forfeiture incurred or to be incurred, or any other Act, Matter, or Thing done or to be done before the Commencement of the Operation of the Provisions of this Act, in relation to any such Matters and Things as last aforesaid.

Sect. 7. And be it further enacted, That when and as soon as the said Corporation of Trinity House of *Deptford Strond* (1) shall have licensed Pilots for any particular Port or Ports, and the respective Coasts near the same as aforesaid, they shall cause Notice of such Licences to be published by fixing up

such Notice in Writing at the Trinity House and at the Custom House in *London*, and also at the respective Custom Houses of the Ports for which, and for the Coasts near the same, such Licences shall be granted, and shall also afterwards cause such Notice to be published in the *London Gazette*, and in One or more of the Newspapers circulated in that Part of the Country where the Ports shall respectively be situated, which Publication in the *London Gazette* shall be good and sufficient Evidence of such Notice having been given; and from and after a Time or Times to be limited in the said Notice, which shall not in any Case, or in relation to any Ships or Vessels whatever, be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionably more at the Discretion of the said Corporation, in relation to Ships and Vessels engaged in Foreign Voyages at the Time of such Publication, all Ships and Vessels sailing, navigating, or passing into or out of the said respective Ports, or upon the Coasts thereof (save and except as herein-after mentioned), shall be conducted and piloted by such Pilots only as shall be so licensed as aforesaid, and by no other Pilots or Persons whomsoever.

Sect. 8. And be it further enacted, That it shall be lawful for the said Corporation of Trinity House of *Deptford Strond* and they are hereby authorized and required to establish, vary, and alter from Time to Time, as Circumstances shall render the same necessary, Rates of Pilotage, in relation to all Pilotage performed in any River, Port, or Place, or upon any Coast whatever, by any Pilot or Pilots already licensed, or who shall be licensed by the said Corporation, upon their receiving Certificates of Examination from Sub-commissioners of Pilotage as aforesaid, which Rates shall be regulated by and proportioned as well to the Size and Draught of Water of the Vessels, as to the Distance piloted, the Detention and Responsibility of the Pilot, and such other Circumstances as the said Corporation may think fit to take into consideration in fixing and establishing such Rates; of which Establishment or Alteration of Rates of Pilotage Notice shall be given, by hanging up printed Tables thereof, corrected from Time to Time as Variations therein shall be made at the several Custom Houses at the Ports to which the said Rates shall apply; and no greater or less Rates, or other Reward or Emolument for such Pilotage, shall under any Pretence whatever be demanded, solicited, received, paid, or offered, on pain of forfeiting Ten Pounds for every such Offence, as well by the Person demanding, soliciting, or receiving, as by the Person paying or offering, such greater or less Rates, Reward, or Emolument: Provided that Ships returning by Distress of Weather, contrary Winds, or on account of Accident, into Ports in the Districts of the

PILOTAGE.

Strond to be fixed up at the Trinity House, &c. after which no other Pilot or Person shall act.

Corporation of Trinity House shall establish Rates for Pilotage performed by Pilots licensed on Certificates.

Of which Rates Tables shall be hung up at the Custom Houses of the respective Ports, and no greater or less Rates shall be received or paid.

PILOTAGE.

Isle of Wight, Plymouth, and Falmouth, shall be subject to pay One Half of the common Pilotage in the said Ports.

Corporation of
Trinity House
may make Bye
Laws and annex
Penalties for
Breach of them.

Sect. 11. And be it further enacted, That all Persons licensed to act as Pilots, or in Pilot Vessels, by the said Corporation of Trinity House of *Deptford Strond*, by virtue of this Act, shall from Time to Time and at all Times hereafter be subject to the Regulations and Government of the said Corporation, who are hereby authorized and empowered, as well for ensuring the good Conduct and constant Attendance of such Pilots upon their Duty, as for enforcing the general Purposes of this Act, from Time to Time to make and frame all such Bye Laws, Rules, Orders, Regulations, and Ordinances as they shall think fit, therein specifying and directing also what annual or other Sums shall be paid by any such Pilots to the Sub-commissioners of Pilotage, for the Examination of such Pilots, and for granting and renewing or confirming their Licences from Time to Time; and it shall be lawful for the said Corporation respectively to annex such reasonable Penalties and Forfeitures for the Breach of such Bye Laws, Rules, Orders, Regulations, and Ordinances, when made, as to them shall seem expedient in that Behalf; and from Time to Time to annul, alter, and amend all or any of the existing Bye Laws, Rules, Orders, Regulations, and Ordinances, and to make such other and new Bye Laws, Rules, Orders, Regulations, and Ordinances as they shall think proper, so as such Bye Laws, Rules, Orders, Regulations, and Ordinances be made conformable to the true Intent and Meaning of this Act, and shall not be repugnant to the Laws of this Realm: Provided always, that no Bye Laws, Rules, Orders, Regulations, or Ordinances hereafter to be made by the said Corporation, shall have Force or Effect before they shall have been examined, sanctioned, and approved by the Chief Justice of His Majesty's Court of King's Bench, or by the Chief Justice of His Majesty's Court of Common Pleas, the Sanction and Approbation of either of which Chief Justices shall be verified under his Hand and Seal; and all and every such Bye Laws, Rules, Orders, Regulations, and Ordinances, when so made and confirmed as aforesaid, shall be observed and kept and put in execution, and have the same Force and Effect and Operation, to all Intents and Purposes, as if the same were respectively enacted by this Act.

Bye Laws to
be sanctioned
by the Chief
Justice of the
King's Bench or
Common Pleas.

Proposed Bye
Laws to be
previously
transmitted to
the Privy
Council and to
the Commis-
sioners of Cust-

Sect. 12. And in order that all such Bye Laws, Rules, Orders, Regulations, and Ordinances may be previously examined by the Parties interested therein, be it further enacted, That Copies of all such proposed Bye Laws, Rules, Orders, Regulations, and Ordinances shall be transmitted to His Majesty's Privy Council, and to the Commissioners of Customs in *London*, Three Calendar Months before the same shall be submitted to

such Chief Justice as aforesaid; and the Commissioners of the Customs are hereby required, upon the Receipt of such Copy, to cause the same to be printed and hung up, as soon as the same can be done, in the several Custom Houses of the principal Ports in *Great Britain*, there to be open to the Inspection of all Persons interested therein at all seasonable Times; and Notice shall be given in the Gazette of such proposed Bye Laws being so hung up for Inspection as aforesaid.

PILOTAGE.

toms, the latter of whom shall cause printed Copies to be hung up at the Custom Houses.

Sect. 13. And be it further enacted, That all such Bye Laws, Rules, Orders, Regulations, and Ordinances as shall be so made and confirmed as aforesaid shall be printed, and shall be hung up in some public or conspicuous Place in the several Custom Houses of the Ports of *England*, within the Limits for which the Pilots respectively shall be licensed, and also at the Trinity House in *London*.

Bye Laws confirmed, to be hung up in the Custom Houses and the Trinity House.

Sect. 21. And be it further enacted, That all Persons licensed or to be licensed to act as Cinque Port Pilots shall from Time to Time and at all Times hereafter be subject to the Regulations and Government of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, and it shall be lawful for the Master and Wardens of the said Society or Fellowship of Pilots of *Dover, Deal*, and the *Isle of Thanet* (1), and the Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, his Lieutenant for the Time being, and the Deputy Lieutenant for the Time being, or either of them, with the Assent of the Commissioners of Loadmanage, or the major Part of them, present at an Assembly commonly called *A Court of Loadmanage* to be held by the said Lord Warden or his Deputy, as and when they shall see fit, or Occasion shall require, to annul, alter, or amend the Rules and Regulations of the said Lord Warden or Court of Loadmanage, which shall be in force at the Time of the passing of this Act, and which are hereby directed to remain in force notwithstanding the same, and to make from Time to Time such other sufficient Rules and Orders for enforcing the due Observance of the Provisions of this Act by all Cinque Port Pilots, and for providing for the good Government, constant Attendance, and Regulation of all such Pilots in going off to and taking charge of, and conducting and navigating His Majesty's Ships and Vessels, and the Ships and Vessels in His Majesty's Employ, and also all Ships and Vessels whatever and wheresoever, within the proper and usual Limits of such Pilots, or wherein they shall for the Time being act or be; and for effectually

Cinque Port Pilots to be subject to the Rules and Regulations of the Lord Warden, &c.

(1) See § 1.

PILOTAGE.

securing the Performance of all the Duties and Services of such Pilots at all Times, and all Alterations and Amendments in such Rules and Regulations so in force as aforesaid, and all other Rules and Regulations, or Alterations or Amendments thereof, hereafter to be made, shall, before the same are allowed to take effect, or become binding on any Person or Persons whatever, be printed and transmitted to the Custom House in *London*, and there hung up in some conspicuous Place in the Long Room of the said Custom House; and Notices shall be published in the *Gazette*, and put up at the Custom Houses within the Cinque Ports, of such Rules and Regulations, or any Alterations thereof, for Inspection, for One Calendar Month, in order that any Persons interested therein, whether as Owners or Masters of Ships, or Pilots, or otherwise, may transmit to the Lord Warden of the Cinque Ports, or his Lieutenant, any Objections which they may have thereto, for the Purpose of the same being altered or confirmed; and if no Objection to the Rules and Regulations so made or altered shall be proposed, by or on the Behalf of any Person or Persons, within the Space of Thirty Days after the Notices shall have been given and made public, in the Manner herein-before provided, they shall have the same Force and Effect to all Intents and Purposes as all other Rules and Regulations for the Government of Pilots within the Jurisdiction of the Cinque Ports have; but if an Objection shall be made to the Lord Warden, or his Lieutenant, by or on behalf of any Person or Persons, to any Rule or Regulation, or to any Alteration in any Rule or Regulation, of which Notice shall be given as aforesaid, within Thirty Days after the Publication thereof, then and in such Case the Operation thereof shall be suspended until Reference shall be had to His Majesty's most Honourable Privy Council, who are hereby authorized and empowered to hear as well any Person who shall be deputed by the Court of Loadmanage, as by the Person or Persons objecting, and finally to decide as to the confirming, altering, or rejecting such Rules or Regulations, which Decision of the Privy Council shall be final and binding on all Parties; and Copies of such Rules or Regulations shall be delivered to every Member of the said Society or Fellowship, and also to every new Member of the said Society on his Election; and a Copy or Extract thereof shall be at all Times in the Possession of every Pilot belonging to the Cinque Ports, as well those already admitted and licensed as all others hereafter to be licensed as such Pilots; and it shall be lawful in such Rules and Regulations to establish Rates of Payment out of such surplus Earnings of the Lower Book Pilots, as may arise from their being allowed to take the higher Classes of Ships, in the Absence of Pilots of the Upper Book, under the Provisions of this Act, for the better Support and Maintenance of the Upper Book Pilots,

and also Penalties and Forfeitures for the enforcing such Rules and Regulations, and better ordering of the said Pilots, and for suspending or depriving any of the said Pilots of their Licences for breaking such Rules or Orders, or omitting to do any thing required by the same to be done, or for acting in anywise contrary to such Rules or Orders.

PILOTAGE.

Sect. 25. And be it further enacted, That from and after the passing of this Act, the respective Rates or Prices herein-after enumerated in the Tables marked (A. and B.) respectively in the Schedule marked (A.) to this Act annexed, shall and may be lawfully demanded and received by any Pilot licensed or to be licensed by the said Corporation of Trinity House of *Deptford Strond*, or by the Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, or his Lieutenant for the Time being respectively, for the piloting or conducting of any Ship or Vessel from Place to Place, as expressed in the said Tables respectively; that is to say, the respective Rates or Prices enumerated in the said Table marked (A.) shall and may be demanded and received by any Pilot licensed or to be licensed by the said Corporation; and the respective Rates or Prices enumerated in the said Table marked (B.) shall and may be demanded and received by any Pilot licensed or to be licensed by the said Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, or his Lieutenant for the Time being; and no greater or less Rates or Prices or other Reward or Emolument shall under any Pretence whatever be demanded, solicited, received, paid, or offered than such Rates or Prices, on pain of forfeiting Ten Pounds for every such Offence, as well by the Person demanding, soliciting, or receiving, as also by the Person paying or offering such greater or less Rate or Price, Reward, or Emolument.

Rates in Tables (A.) and (B.) of Schedule (A.) may be demanded by Pilots, and no greater or less.

Penalty.

Sect. 26. Provided always, That it shall and may be lawful for the said Corporation of Trinity House of *Deptford Strond* (as to the said Rates or Prices to be demanded and received by Pilots licensed, or to be licensed, by the said Corporation), and for the said Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, or his Lieutenant for the Time being (as to the said Rates or Prices to be demanded and received by Pilots licensed or to be licensed by the said Lord Warden and Constable, or his Lieutenant), and they are hereby respectively authorized and empowered from Time to Time, and at any Time or Times hereafter, with the Consent of His Majesty, His Heirs and Successors, in His or Their most Honourable Privy Council, to increase, reduce, alter, or modify all or any or either of the said respective Rates or Prices so enumerated in the said Tables respectively, or to substitute

Rates may be varied by the Corporation of Trinity House and Lord Warden of the Cinque Ports respectively, with the Consent of the Privy Council.

PILOTAGE.

other Rates or Prices in lieu thereof, and the same Rates or Prices so increased, reduced, altered, modified, or substituted as aforesaid, again in like Manner and with the like Consent from Time to Time to increase, reduce, alter, or modify, or others to substitute in lieu thereof, and to fix and determine the Period (so that the same be not less than Three Calendar Months from the giving of the Notice herein-after mentioned) from and after which such altered or substituted Rates and Prices are to be demanded, of which Rates and Prices, and of the Period from and after which the same are to be demanded, Notice shall from Time to Time be given, by hanging up printed Tables thereof in some public or conspicuous Place in the Custom House of *London*, and also at the Trinity House in *London*; and from and after the Period specified in such last-mentioned Tables, the respective Rates or Prices therein enumerated may and shall be demanded and received by any Pilot licensed by the said Corporation of Trinity House, or by the Lord Warden of the Cinque Ports and Constable of *Dover Castle* for the Time being, or his Lieutenant for the Time being respectively, instead of the said several Rates and Prices mentioned in the said Tables marked (A. and B.) respectively; and from and after such Period, no greater or less Rates or Prices, or other Reward or Emolument, shall, under any Pretext whatever, be demanded, solicited, received, paid, or offered, on pain of forfeiting Ten Pounds for every such Offence, as well by the Person demanding, soliciting, or receiving, as also by the Person paying or offering such greater or less Rate or Price.

Penalty.

Name, &c. of
Pilots ap-
pointed to be
transmitted
to the Trinity
House, and a
List of all
Pilots annually
to the Trinity
House and
Custom House.

Sect. 35. And be it further enacted, That from and after the passing of this Act, all Bodies Politic and Corporate, and all and every other Person or Persons, authorized to appoint or license Pilots in or for any Port of *England*, or any of the Seas, Coasts, Harbours, or Rivers thereof, or Places therein, shall from Time to Time, as and when each Appointment of a Pilot shall be by them respectively made, forthwith transmit to the Corporation of Trinity House of *Deptford Strond*, at the Trinity House in *London*, and to the Commissioners of His Majesty's Customs, at the Custom House in *London*, the Christian and Surname, Age, and Place of Residence of every such Pilot so appointed, distinguishing the Limits within which such Pilot is appointed to act, and by whom such Appointment is made; and the said Bodies Politic and Corporate, and other Persons, authorized to appoint or license Pilots as aforesaid, shall and they are hereby required to transmit to the said Corporation of Trinity House, at the Trinity House aforesaid, and to the said Commissioners of Customs, at the Custom House aforesaid, annually, on the Thirty-first Day of *December*, or within One Calendar Month afterwards, a List, corrected up to

the said Thirty-first Day of *December* in each Year, of the Names and Residences of all the Pilots within their several Jurisdictions, in which List so to be transmitted to the Trinity House as aforesaid shall be stated all such Alterations (if any) as may have been made in the Rates of Pilotage charged, or in the Rules and Regulations for governing Pilots within their respective Districts.

PILOTAGE.

Sect. 36. And whereas by certain Acts of Parliament for the more effectual Performance of Quarantine Pilots are required, on going on board Ships arriving from Foreign Parts, in certain Cases to give Information to the Commanders thereof respecting Proclamations and Orders in Council relative to the Performance of Quarantine, which renders it necessary that Notice of such Proclamations and Orders should have been previously communicated to all Pilots throughout *England*; be it further enacted, That the said Commissioners of His Majesty's Customs shall from Time to Time with all convenient Speed transmit to the principal Officers of the Revenue under their Management, at the several Ports in *England*, the Names and Places of Residence of all such Pilots of whose Nomination they shall receive Notice from the proper Authority, or who shall be in the List so annually to be transmitted to such Commissioners as aforesaid, as shall reside within the Limits of each Port respectively, in order that the said principal Officers at the several Ports may be enabled to communicate and deliver to every Pilot within the Limits of such Ports respectively Copies of all Proclamations or Orders in Council respecting the Performance of Quarantine by Ships arriving from infected Places, which the said Officers are hereby required to communicate accordingly.

Commissioners of Customs to transmit to their principal Officers at Ports in England the Names, &c. of Pilots residing within the Limits of each Port.

Sect. 43. And be it further enacted, That every Pilot shall write his Christian and Surname in the Log Book of every Master or other Person having the Command for the Time being of any Ship or Vessel entering the Port of *London*, and required to be piloted according to the Directions of this Act; and every Pilot or other Person inserting a false Name shall forfeit the Sum of Twenty Pounds; and the Master or other Person having the Command of such Ship or Vessel shall, in making the Entry or Report of such Ship or Vessel inwards, insert or cause to be inserted in such Entry or Report the Name or Names of the Pilot or Pilots employed or engaged to pilot such Vessel into the said Port, which Insertion shall be made in the said Entry or Report (without Fee or Reward) by the proper Officer of the Customs, who shall report the same to the Corporation of the Trinity House daily, and to the Lord Warden of the Cinque Ports monthly; and such Officer is

Pilot to write his Name in Log Book, and same to be inserted in Report of Ships entering the Port of London, and reported daily to the Trinity House, and monthly to the Lord Warden of the Cinque Ports.

PILOTAGE.

Monthly Re-
ports to be
made of Vessels
clearing out-
wards.

Penalty.

In what Man-
ner Pilotage of
Ships not
having British
Registers
trading to and
from the Port
of London shall
be paid.

hereby authorized and required to reject such Entry or Report, unless and until the Name or Names of the Pilot or Pilots so employed or engaged as aforesaid shall be inserted or notified to such Officer for Insertion in such Entry or Report as aforesaid; and also that the principal Searcher or Clearing Officer of the Customs at *Gravesend* shall demand and take the Name or Names of the Pilot or Pilots of all Ships or Vessels clearing outwards from the Port of *London*, and shall transmit monthly Lists of such Names to the said Corporation of Trinity House, on pain of forfeiting a Sum not exceeding Ten Pounds, nor less than Five Pounds, to be paid by each and every of the Persons aforesaid who shall neglect to comply with any of the foregoing Regulations.

Sect. 46. And in order to prevent as well Impositions and Disputes respecting the Charges for as Evasions in the Payment of the Pilotage of such Ships and Vessels trading to and from the Port of *London*, and not having *British* Registers, as are by Law required to be piloted by Pilots licensed by the said Corporation of Trinity House, be it further enacted, That from and after the passing of this Act the Master or other Person having the Charge of every such Ship or Vessel which shall enter into or sail from the said Port of *London*, or the Consignees of or Agents for such Ship or Vessel, shall pay or cause to be paid at the Trinity House in *London*, to such Person or Persons as shall from Time to Time be in that Behalf appointed by the said Corporation of Trinity House, the full Pilotage inwards and outwards respectively of every such Ship or Vessel; that is to say, in all Cases as to Pilotage outwards the full Amount of Pilotage for the Distance which such Ship or Vessel shall by Law be required to be piloted by such licensed Pilot as aforesaid; and so far as concerns the Pilotage inwards, where a duly licensed Pilot shall have been on board such Ship or Vessel, the full Amount of Pilotage for the Distance piloted by him, if greater than that which such Ship or Vessel shall be so required to be piloted; and if less, or if no such Pilot shall have been on board, then the full Amount of the Pilotage for the Distance which such Ship or Vessel shall be by Law required to be piloted as aforesaid; and if such Pilotage inwards be not paid within Fourteen Days from the Day of such Ship or Vessel's reporting inwards, the same shall and may be recovered by the said Corporation from the Master or other Person having the Charge of every such Ship or Vessel, or from the Consignees or Agents thereof, who shall have paid or made themselves liable to pay any other Charge for such Ship or Vessel in the said Port of *London*, and shall and may be levied in such and the like Manner, according to the Amount of any such Sums of Money respectively, as any Penalty or Penalties may be recovered and levied under and by virtue of this Act.

Sect. 47. And be it further enacted, That the Person or Persons so to be appointed by the said Corporation of Trinity House of *Deptford Strond* as last aforesaid shall, upon his or their receiving such Pilotage, give to the Person paying the same a Certificate thereof in Writing, and that no Ship or Vessel not having a *British* Register, and being required by Law to be piloted as aforesaid, shall be cleared at the Office of His Majesty's Customs in the said Port of *London* on her outward-bound Voyage, without the Production of such Certificate as aforesaid; and the said Person or Persons so to be appointed as aforesaid shall, upon Proof to the Satisfaction of the said Corporation that such Pilotage Service hath been duly performed, pay over to the Pilot duly licensed, who shall have had charge of every such Ship or Vessel, all such Sum or Sums of Money as shall have been received by such Person or Persons appointed as aforesaid, and as shall be due and payable to such Pilot for or in respect of such Pilotage Service so by him performed, after deducting and retaining thereout the Poundage herein-before made payable to the said Corporation; and the Residue of such Pilotage received by such Person or Persons so appointed as aforesaid shall, together with the Poundage aforesaid, be carried to and applied to the Purposes of the Pilots Fund of the said Corporation of Trinity House of *Deptford Strond* herein-after mentioned.

PILOTAGE.

Certificate of Payment of Pilotage to be given.

Receivers to pay over to the Pilot what shall be due to him;

and the Residue with the Poundage to be carried to the Pilots' Fund.

Sect. 66. And be it further enacted, That no Person shall take charge of any Ship or Vessel, or in any Manner act as a Pilot, or receive any Compensation for acting as a Pilot, until his Licence shall have been registered by the principal Officers of the Custom House of the Place at or nearest to which such Pilot shall reside, (which Officers are hereby required to register the same without Fee or Reward,) nor without having his Licence at the Time of his so acting in his personal Custody, and producing the same to the Master of any Ship or Vessel, or other Person who shall be desirous of employing him as a Pilot, or to whom he shall offer his Services, on pain of forfeiting a Sum not exceeding Thirty Pounds, nor less than Ten Pounds, for the First Offence; and for the Second or any subsequent Offence, a Sum not exceeding Fifty Pounds, nor less than Thirty Pounds; and upon further Pain, as to any Person licensed as aforesaid, of forfeiting his Licence or being suspended from acting as a Pilot, by and at the Discretion of the Corporation or other Authority from which such Pilot's Licence was derived, either for the First, Second, or any subsequent Offence.

No Pilot shall act until his Licence has been registered, nor without producing it.

Penalty.

Sect. 67. And be it further enacted, That every Pilot, licensed or to be licensed as aforesaid, shall, at all Times when thereunto required, produce or deliver and yield up his Licence to the

Licences to be delivered up when required, and on Death

PILOTAGE.

of a Pilot his Licence shall be returned to the Corporation or Authority that granted it.

Penalty.

Pilots keeping Public Houses, &c. (unless authorized) or offending against the Revenue Laws, &c. shall forfeit their Licences or be suspended.

Corporation or other Authority by which the same was granted ; and that on the Death of any such Pilot, his Executors or Administrators, or One of them, or the Person or Persons to whose Hands the Licence of such deceased Pilot shall come, shall without wilful Delay transmit such Licence to the Corporation or other Authority by which the same was granted, on pain of such Pilot, Executor, Administrator, or other Person, forfeiting for any Neglect therein a Sum not exceeding Twenty Pounds nor less than Forty Shillings.

Sect. 68. And be it further enacted, That from and after the passing of this Act, if any Pilot, licensed by virtue of this Act, or otherwise duly licensed, shall keep, or be concerned in keeping, either by himself or any Agent or Servant, or other Person, or shall in any way be interested in the keeping of any Public House or Tavern, or Place of public Entertainment, or in the selling of any Wine or Spirituous Liquors, or Tobacco or Tea (unless such Pilot shall have kept or been concerned or interested in the same before the First Day of *March* One thousand eight hundred and eight, and shall be duly authorized by the Corporation, or other Authority under which such Pilot shall act, to continue in such Business or Employment); or if any Pilot, licensed as aforesaid, shall be convicted of any Offence against any Law or Laws relating to the Revenues of Customs or Excise, or shall be concerned in or shall wilfully connive at any indirect Practices or Frauds against the Revenues of Customs or Excise, or shall procure, abet, connive at, or participate in any Destruction, Spoil, or Concealment, Fraud, Exaction, or corrupt Practice, relating to Ships or Vessels, or Persons in Distress at Sea, or by Shipwreck, or relating to the Tackle, Apparel, or Furniture, or the Cargoes of such Ships or Vessels, or relating to the Crew or Passengers belonging thereto, or the Monies, Goods, or Chattels of any of them, then and in every such Case every Pilot shall (over and above all other Punishments, Mulets, and Penalties for such Offences) be adjudged to forfeit his Licence, or shall be suspended from acting as a Pilot, by and at the Discretion of the Corporation, or other Authority from which such Pilot's Licence was derived.

Penalty on Pilots who shall decline to go off to or take charge of Vessels, or who shall quit the same.

Sect. 72. And be it further enacted, That every Pilot, licensed or to be licensed as aforesaid, who shall, when not actually engaged in his Capacity of Pilot, refuse or decline or wilfully delay to go off to or on board of or to take charge of any Ship or Vessel wanting a Pilot, and within the Limits specified in his Licence, and of which he shall be qualified to take charge, upon the usual Signal for a Pilot being displayed from such Ship or Vessel, or upon being required so to do by the Captain, or by any Commissioned or Warrant Officer of or belonging to such Ship or Vessel (if the same shall be in His

Majesty's Service), or by the Master, or other Person having the Command of such Ship or Vessel, or by any Person or Persons interested therein as Principal or Agent (if the same shall not be in His Majesty's Service), or upon being required so to do in either of the Cases aforesaid, by any Officer of the Corporation or Society to which such Pilot shall belong, or by any principal Officer of His Majesty's Customs (unless in any of the Cases aforesaid) it shall be unsafe for such Pilot to obey such Signal, or comply with such Requisition, or he shall be prevented from so doing by Illness or other sufficient Cause to be shown by him in that Behalf; and every Pilot licensed or to be licensed as aforesaid, who shall on any frivolous Pretext quit any Ship or Vessel, or decline the piloting thereof, after he has been engaged to pilot the same, or after going alongside thereof, before the Service shall have been performed for which he was hired, and without Leave of the Captain of such Ship or Vessel (if in His Majesty's Service), or of the Master or other Person having the Command of such Ship or Vessel (if not in His Majesty's Service), shall forfeit for every such Offence any Sum not exceeding One hundred Pounds, nor less than Ten Pounds, and shall be liable to be dismissed from being a Pilot, or suspended from acting as such, at the Discretion of the Corporation or other Authority by whom such Pilot was licensed.

[The other Sections of this Act do not relate to the Customs.]

PILOTAGE.

SCHEDULES referred to

SCHEDULE (A.) (1) - - -

TABLE (A.)—TABLE of the RATES of PILOTAGE to be demanded and received for piloting Ships and Vessels within the

FROM	TO	7 Feet, and under.	8 Feet.	9 Feet.	10 Feet.	11 Feet.	12 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.
The Sea, Orfordness, the Downs, Hoveley Bay, and vice versa	Nore or Warps - -	3 13 6	4 2 9	4 12 0	5 1 3	5 5 9	6 5
	Gravesend, Chatham, Standgate Creek, or Blackstake - -	4 12 0	5 7 9	6 3 3	6 18 0	7 11 9	8 5
	Long Reach - -	4 16 6	5 12 3	6 8 0	7 2 6	7 18 3	8 14
	Woolwich or Blackwall -	5 5 9	6 1 6	6 17 0	7 11 9	8 10 3	9 4
	Moorings or London Docks -	5 16 0	6 9 9	7 3 6	7 17 3	8 19 6	9 13
The Nore or Warps, and vice versa	Gravesend, Standgate Creek, or Blackstake -	1 18 9	2 3 3	2 7 0	2 10 6	2 19 9	3 6
	Long Reach or Chatham -	2 6 0	2 10 6	2 15 3	2 19 9	3 9 0	3 18
	Woolwich or Blackwall -	2 15 3	3 1 9	3 8 0	3 13 6	4 2 9	4 10
	Moorings or London Docks -	3 4 6	3 10 9	3 17 3	4 2 9	4 16 6	5 5
Gravesend Reach, and vice versa	Long Reach - -	0 9 3	0 14 9	1 0 3	1 5 3	1 10 0	1 14
	Woolwich or Blackwall -	1 3 0	1 7 6	1 12 3	1 16 9	2 4 3	2 13
	Moorings or London Docks -	1 7 6	1 14 0	2 0 6	2 6 0	2 15 3	3 4
	Sheerness, Standgate Creek, or Blackstake -	2 15 3	2 19 0	3 1 9	3 4 6	3 13 6	4 2
	Chatham - -	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12
Long Reach, and vice versa	Woolwich or Blackwall -	0 18 6	1 2 0	1 4 9	1 7 6	1 16 9	2 6
	Moorings or London Docks -	1 7 6	1 11 3	1 14 0	1 16 9	2 6 0	2 15
	Sheerness, Standgate Creek, or Blackstake -	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12
	Chatham - -	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1
Woolwich or Blackwall, and vice versa	Moorings or London Docks -	0 18 6	1 2 0	1 4 9	1 7 6	1 10 0	1 12
	Sheerness, Standgate Creek, or Blackstake -	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1
	Chatham - -	4 2 9	4 6 6	4 9 3	4 12 0	5 1 3	5 10

Ships not having British Registers are to pay One Fourth more than Ships having British Registers by any Order of His Majesty's most Honourable Privy Council, be privileged to enter the Ports such Ships and Vessels not having British Registers shall pay the like Rates of Pilotage only as a

For 11alf a Foot exceeding the above Draughts of Water, the medium Pri

For removing a Ship or Vessel from Mooring
For a Ship under 300 Tons -
- - - 300 to 600 -
- - - 600 to 1,000 -
- - - above 1,000 -

In the River Thames, above Gravesend - { For a Boat of a Class carrying an Anchor
- - - Do. - Do. -
- - - Do. - Do. -

And for each Man's Service

(1) See § 25.

o in this Act.

SCHEDULE (A.)

y Pilots licensed by the Corporation of Trinity House of Deptford Strond, for limits in the said Table mentioned.

3 Feet.	14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet and upwards.
£ s. d. 6 13 6	£ s. d. 7 7 3	£ s. d. 7 16 6	£ s. d. 8 14 9	£ s. d. 9 8 6	£ s. d. 10 17 0	£ s. d. 11 10 0	£ s. d. 12 17 6	£ s. d. 14 5 3	£ s. d. 16 11 3	£ s. d. 18 8 4
8 19 6	9 13 3	10 7 0	11 0 9	11 14 6	14 1 6	16 13 0	19 6 6	21 5 0	23 3 9	25 2 8
9 8 6	10 0 0	10 16 3	11 10 0	13 3 6	15 9 0	18 11 9	21 5 0	23 0 0	24 16 9	26 13 6
0 2 6	11 0 9	11 14 6	12 8 6	14 3 6	15 5 9	19 11 0	22 1 6	24 16 9	27 12 0	—
0 11 6	11 10 0	12 8 6	13 2 3	14 14 6	17 0 6	20 10 3	23 4 6	—	—	—
3 11 9	3 15 6	4 2 9	4 10 3	5 1 3	5 16 0	6 8 9	7 14 6	8 14 0	9 13 3	10 12 6
4 2 9	4 7 0	4 13 9	5 5 0	5 16 0	6 15 3	8 5 6	9 13 3	10 12 6	11 11 9	12 15 3
4 19 0	5 8 6	5 16 0	6 4 3	7 2 6	8 3 9	9 4 0	11 11 9	12 11 3	13 16 0	—
5 15 0	6 4 3	6 13 6	7 2 6	8 1 0	9 4 0	11 0 9	12 17 6	13 16 0	—	—
1 19 0	2 3 9	2 8 3	2 13 0	2 17 6	3 2 0	3 6 9	3 11 3	4 12 0	5 10 6	—
3 2 6	3 11 9	3 18 3	4 5 6	4 13 9	5 1 3	6 4 3	7 11 9	8 19 6	9 13 3	—
3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	7 7 3	8 14 9	—	—	—
4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	—	—	—
5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	8 5 6	—	—	—
2 15 3	3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	8 5 6	9 4 0	—
3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	7 7 3	9 4 0	—	—
5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 17 6	8 5 6	8 14 9	—	—
5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	9 4 0	—	—
1 16 9	2 1 6	2 6 0	2 10 6	2 15 3	2 19 9	3 4 6	3 9 0	—	—	—
5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	—	—	—
5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	9 4 0	—	—	—

cept when such first-mentioned Ships shall be chiefly laden with Corn or other Provisions, or shall be employed in the Service of His Majesty in this Kingdom, upon paying the same Duties of Tonnage as are paid by British Ships, in which Case the same shall be payable by Ships having British Registers.

between the Two Limits.—For intermediate Distances a proportionate Rate.

into a Dry or Wet Dock :

-	£0	15	0
-	1	1	0
-	1	11	6
-	2	2	0

above 4 Cwt. with a corresponding Tow Line	-	£2	2	0	} Per Trip for the whole Distance from Gravesend to London; and in proportion for any Part of that Distance.
2 Cwt.	-	1	1	0	
under 2 Cwt.	-	0	15	0	

those Boats, 8s. per Tide.

PILOTAGE.

Schedule (A.)—

TABLE (B.)—A TABLE of the RATES of PILOTAGE to be demanded and of Dover Castle, or his Lieutenant for the Time being, for piloting

FROM	TO	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
The Downs	Nore, Sheerness, Standgate Creek, Gravesend - - }	5 5 0	7 17 6	8 13 3	9 9 0	10 4 9
	Longreach - -	5 16 0	8 8 6	9 9 0	10 4 9	11 3 0
	Blackwall or London -	6 12 3	8 19 6	10 4 9	11 0 6	12 1 6
Standgate Creek	Gravesend - -	3 6 2	3 17 0	4 8 2	4 19 0	5 10 3

From the several Rates mentioned in this Table B. there shall be deducted 5 per Cent.

Ships not having British Registers are to pay One Fourth more than Ships having British Provisions, or shall, by any Order of His Majesty's most Honourable Privy Council, be privileged Ships, in which Case such Ships and Vessels, not having British Registers, shall pay the like Rates

For Half a Foot, exceeding the above Draughts of Water, the medium Price between the Two Limits.

For intermediate Distances, a proportionate Rate.

For putting a Pilot on board, and for Pilotage of Ships and Vessels to the Anchorage in the Downs.*	60 Tons and under 150.	150 Tons and under 250.	250 Tons and under 400.	400 Tons and under 600.	600 Tons and upwards.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
From off Dungeness to off Folkestone; the Church bearing N.N.W. by Compass }	2 0 0	3 0 0	3 10 0	4 0 0	5 5 0
From off Folkestone to the South Foreland, the Lights in one - - }	1 10 0	2 0 0	2 10 0	3 0 0	4 4 0
From off the South Foreland to the Downs - - - }	1 5 0	1 5 0	1 10 0	2 0 0	3 3 0

* When the Pilot is put on board by a Boat from the Shore, One Seventh to the Pilot, and the remaining Six Sevenths to the Boat and Crew.

continued.

received by Pilots licensed by the Lord Warden of the Cinque Ports and Constable of the Cinque Ports and Vessels within the Limits in the said Table mentioned.

14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet and upwards.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1 0 6	11 16 3	12 12 0	13 7 9	16 1 3	19 0 0	22 1 0	24 5 0	26 9 2	28 13 3
1 18 10	12 18 3	13 14 0	15 0 9	17 14 4	21 4 2	24 5 1	26 9 2	28 13 3	30 17 4
2 17 3	14 0 4	14 16 0	16 13 9	19 7 5	23 8 3	26 9 2	28 13 3	—	—
5 1 3	6 12 3	7 3 3	7 14 4	8 5 4	8 16 4	9 7 4	—	—	—

then the Number of Cinque Port Pilots shall be reduced to 120.

registers, except when such first-mentioned Ships shall be chiefly laden with Corn or other Goods, shall enter the Ports of this Kingdom, upon paying the same Duties of Tonnage as are paid by British Ships, Pilotage only as are payable by Ships having British Registers.

In the River Thames above Gravesend	For a Boat of a Class carrying an Anchor of above 4 cwt. with a corresponding Tow Line	£ s. d. 2 2 0	Per Trip for the whole Distance from Gravesend to London; and in proportion for any Part of that Distance.
	Do. - do. - 2 cwt. -	1 1 0	
	Do. - do. - under 2 cwt. -	0 15 0	

And for each Man's Service in those Boats, 8s. per Tide.

3^o & 4^o VICT. Cap. 68.

PILOTAGE.

An Act to enable Her Majesty in Council to authorize Ships and Vessels belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted, in certain Cases, without having a licensed Pilot on board; and also to regulate the Mode in which Pilot Boats shall be painted and distinguished. (1)

[7th August 1840.]

G 4. c. 125.

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better Preservation of Floating Lights, Buoys, and Beacons*, it is amongst other things provided, that from and after the passing thereof it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council, to permit and authorize Ships and Vessels not exceeding the Burden of Sixty Tons, and not having a *British* Register, to be piloted and conducted without having a duly licensed Pilot on board, upon the same Terms and Conditions as are by that Act imposed on *British* Ships and Vessels not exceeding the like Burden: And whereas it is by the said Act also provided and enacted, that nothing in that Act contained shall extend or be construed to extend to subject to any Penalty the Master or Mate of any Ship or Vessel, being the Owner or a Part Owner of such Ship or Vessel, and residing at *Dover, Deal*, or the *Isle of Thanet*, for conducting or piloting such his own Ship or Vessel from any of the Places aforesaid up or down the River *Thames* or *Medway*, or into or out of any Port or Place within the Jurisdiction of the Cinque Ports: And whereas the said last-recited Proviso and Enactment has been found to prevent the Subjects of Foreign Countries having Treaties of Reciprocity with the United Kingdom from being placed on an equal Footing with the Subjects of the said United Kingdom in regard to Pilots and Pilotage, in conformity with the Spirit of the said Treaties; and in order to remedy such Inconvenience it is expedient that the Powers vested by the said first-recited Proviso in Her Majesty in Council should be extended in manner herein-after mentioned; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, whenever the Owner or Owners of any Ship or Ships not having a *British* Register, but

Her Majesty in Council may authorize Ships

(1) See 8 & 9 Vict. Cap. 87. § 14.

belonging to the Subjects of Foreign Countries having Treaties of Reciprocity with the United Kingdom, shall make it appear that he or they are deprived of the Benefit enjoyed by *British* Subjects under the said recited Proviso and Enactment, it shall be lawful for Her Majesty in Council from Time to Time to make and issue Orders or Certificates under the Hand of the Clerk of the Privy Council, declaring thereby upon what Terms, and subject to what Conditions, and within what Limits, and for how long such Ships in such Orders or Certificates mentioned may be piloted without having a duly licensed Pilot on board; and from and after the granting of any such Order or Certificate, and so long as the same remains in force, the Master of any such Ship in such Order or Certificate mentioned shall and may lawfully, and without being subject to any Penalty in that Behalf, conduct his said Ship without having a duly licensed Pilot on board, when and so long as he shall be conducting her within the Limits in such Order or Certificate mentioned, and in conformity with the Terms and Conditions thereby imposed, and without the Aid or Assistance of any other Person than the ordinary Crew of the said Ship: Provided always, that the said last-mentioned Provision, and the Orders or Certificates to be made and issued by virtue thereof, shall cease and be void on the passing of any general Act for the Regulation of Pilots and Pilotage.

PILOTAGE.

belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted in certain Cases without having a licensed Pilot.

When foregoing Provision to cease.

Sect. 2. And whereas by an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Prevention of Smuggling*, Provisions are made respecting the painting or tarring of Vessels or Boats employed on the Coasts of the United Kingdom in piloting, which Provisions are inconsistent with certain other Provisions contained in the said in part recited Act of the Sixth Year of the Reign of His said late Majesty King *George* the Fourth, and Doubts have arisen touching the Effect of such Provisions respectively; be it therefore enacted, That so much of the said in part recited Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth as requires "that every Pilot Boat or Vessel or other Boat or Vessel in the Pilot Service of any Corporation or Society established by Law in relation to Pilotage, or of or belonging to any Person authorized to act as a Pilot by such Corporation or Society, shall at all Times and on every Station be fitted with Black Sides, and have the upper Streak next the Gunwale painted White," shall be and the same is hereby from henceforth repealed; and from and after the passing of this Act every such Boat or Vessel as aforesaid shall be painted or tarred entirely Black, except the Name or other Description now required by Law to be painted on such Boat or Vessel.

3 & 4 W. 4. c. 53. s. 13.

Certain Parts of 6 G. 4. c. 125. s. 32. as to the Mode of painting Pilot Vessels, repealed.

Boats to be painted or tarred entirely Black, except the Name, &c.

6^o GEO. 4. Cap. 78.

QUARANTINE.

An Act to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof. [27th June 1825.]

Acts relating
to Quarantine
repealed.

Exceptions.

WHEREAS it is expedient to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June* One thousand eight hundred and twenty-five, all and every Act, and all Parts of Acts of the Parliament of *Great Britain* and *Ireland* respectively, and of the Parliament of the United Kingdom, relating to the Performance of Quarantine, or relating to the charging any Duty or Duties upon Vessels which may be liable to, or have performed Quarantine, shall be and the same is hereby repealed; save and except such Acts, and such Parts of Acts, as relate to the Payment and Recovery of any Duties imposed by the said Acts, or any Parts of Acts, which shall be due and unpaid on the said First Day of *June* by any Person or Persons under any or either of the said Acts; and also save and except as to any Fine, Penalty, Forfeiture, or Punishment, or Fines, Penalties, Forfeitures, or Punishments, to which any such Person or Persons may be liable by reason of the same; and also save and except as to any Action, Suit, Prosecution, or other Proceeding brought or commenced, or which shall hereafter be brought or commenced, for or on account of any such Offence or Offences so done or committed as aforesaid.

What Vessels
shall be liable
to Quarantine.

Sect. 2. And be it enacted, That from and after the First Day of *June* One thousand eight hundred and twenty-five, all Vessels, as well His Majesty's Ships of War as others, coming from or having touched at any Place from whence His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, shall have adjudged and declared it probable that the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects may be brought, and all Vessels and Boats receiving any Person, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Article whatsoever, from or out of any Vessel so coming from or having touched at such infected Place as aforesaid, whether such Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other

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Articles, shall have come or been brought in such Vessels, or such Persons shall have gone, or Articles have been put on board the same, either before or after the Arrival of such Vessels at any Port or Place in the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, and whether such Vessels were or were not bound to any Port or Place in the United Kingdom, or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Article whatsoever on board of any Vessels so coming from or having touched at such infected Place as aforesaid, or on board of any such Receiving Vessels or Boats as aforesaid, shall be and be considered to be liable to Quarantine within the Meaning of this Act, and of any Order or Orders which shall be made by His Majesty, His Heirs and Successors, by and with the Advice of His or Their Privy Council, concerning Quarantine and the Prevention of Infection, from the Time of the Departure of such Vessels from such infected Place as aforesaid, or from the Time when such Persons, Goods, Wares, Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles shall have been received on board respectively; and all such Vessels and Boats as aforesaid, and all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and all other Articles as aforesaid, whether coming or brought in such Vessels or Boats from such infected Place as aforesaid, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid, on board such Receiving Vessel or Boat as aforesaid, shall, upon their Arrival at any such Port or Place, be obliged to perform Quarantine in such Place or Places, for such Time, and in such Manner as shall from Time to Time be directed by His Majesty, His Heirs or Successors, by His or Their Order or Orders in Council, notified by Proclamation, or published in the *London Gazette*; and that until such Vessels and Boats, Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid, shall have respectively performed, and shall be duly discharged from Quarantine, no such Person, Goods, Wares, or Merchandize, or other Articles as aforesaid, or any of them, shall, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, come or be brought on shore, or go and be put on board any other Vessel or Boat, in order to come or be brought on shore in any such Port or Place, although such Vessels so coming from such infected Place as aforesaid may not be bound to any Port or Place in the United Kingdom, or the Islands aforesaid, unless in such Manner and in such Cases, and by such Licence as shall be directed or permitted by such Order or Orders made

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by His Majesty, His Heirs or Successors, in Council, as aforesaid; and all such Vessels and Boats, whether coming from such infected Place as aforesaid, or being otherwise liable to Quarantine as aforesaid, and all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and other Articles as aforesaid, whether coming or brought in such Vessels or Boats, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, and although such Vessels or Boats shall not be bound to any Port or Place in the United Kingdom, or the Islands aforesaid; and all Commanders, Masters, or other Persons, having the Charge or Command of any such Vessels or Boats, whether coming from any infected Place, or being otherwise liable to Quarantine as aforesaid, shall be subject to all Provisions, Rules, Regulations, and Restrictions contained in this Act, or in any Order or Orders which shall be made by His Majesty, His Heirs and Successors, in Council, as aforesaid, concerning Quarantine and the Prevention of Infection, and to all the Pains, Penalties, Forfeitures, and Punishments contained in this Act, for any Breach or Disobedience thereof, or of any Order or Orders of His Majesty in Council made under the Authority thereof.

Power for Privy Council to order Vessels coming from America or the West Indies, when the Yellow Fever, &c. prevails there, to go to certain Places without being liable to Quarantine.

Sect. 3. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by His or Their Order in Council, or for the Lords or others of His or Their Privy Council, or any Two or more of them, by their Order from Time to Time, as often as they may see reason to apprehend that the Yellow Fever or other highly infectious Distemper prevails on the Continent of *America*, or in the *West Indies*, to require that every Vessel coming from or having touched at any Port or Place on the Continent of *America* or in the *West Indies*, shall come to an Anchor at certain Places to be appointed from Time to Time by the Commissioners of His Majesty's Customs (who are hereby authorized to make such Appointment), for the Purpose of having the State of Health of the Crew of such Vessel ascertained before such Vessel shall be permitted to enter the Port whereto she shall be bound, or any other Port of the United Kingdom; but that such Vessel shall not be deemed liable to Quarantine unless it shall be afterwards specially ordered under that Restraint.

Power to Lord Lieutenant, where the Urgency of the Case requires, to give Directions, by Proclamation,

Sect. 4. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, by his or their Order or Orders, made by the Advice and Consent of His Majesty's Privy Council in *Ireland*, and notified by Proclamation, to give Directions, where the Urgency of the Case shall require, as to the Place or Places, and as to the Time and Manner in which

Ships and Vessels arriving, and Persons, Goods, and Merchandizes coming or imported into any Port or Place in *Ireland*, shall make their Quarantine, in pursuance of the Provisions of this Act; and that until such Ships, Vessels, Persons, Goods, and Merchandizes shall have respectively performed and been discharged from such Quarantine, pursuant to the Provisions of this Act, it shall and may be lawful for any such Persons, Goods, or Merchandizes, or any of them, to come or be brought on shore, or to go or be put on board any other Ship or Vessel in any Place in *Ireland*, in such Cases, and by such Licence as shall or may be directed or permitted by any Order or Orders to be made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by the Advice and Consent of the Privy Council there, and notified as aforesaid; and that all such Ships and Vessels, and the Persons or Goods coming or imported in, or going and being put on board such Ships or Vessels, and all Ships, Vessels, Boats, and Persons receiving any Goods or Persons out of the same, and all Persons going on board any such Ship or Vessels, shall be subject to such Orders, Rules, and Directions concerning Quarantine and the preventing Infection as shall be made from Time to Time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, and shall be notified by Proclamation as aforesaid, in pursuance of the Provisions contained in this Act; and that the Publication in the *Dublin Gazette* of any Order or Orders of the Lord Lieutenant or other Chief Governor or Governors and Council, made in pursuance of this Act, shall be deemed and taken to be sufficient Notice to all Persons concerned of all Matters contained in any such Order or Orders respectively.

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where Vessels shall perform Quarantine, &c.

Sect. 5. And whereas certain Sorts of Goods and Merchandize are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into the United Kingdom, or the Islands aforesaid; be it enacted, That all such Goods and Merchandize as shall be particularly specified (1) for that Purpose in any Order or Orders made by His Majesty, His Heirs or Successors, in Council, concerning Quarantine and the Prevention of Infection as aforesaid, which shall be brought or imported into any Port or Place in the United Kingdom, or the Islands aforesaid, from any Foreign Country or Place, in any Vessel whatever, and the Vessels in which the same shall be brought, and also all Vessels which shall arrive from any Port or Place whatever, under any alarming or suspicious Circumstances as to Infection, shall be subject and liable to such Regulations and Restrictions as shall be made by such Order or Orders of His Majesty, His

Goods and Vessels specified in any Order of Council subject to Quarantine; as also all Vessels arriving from any Port undersuspicious Circumstances as to Infection.

(1) See Order in Council, 19th July 1825, § 31.

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Heirs or Successors, in Council as aforesaid, respecting the same.

The Privy Council may make such Order as they shall think necessary upon Emergencies.

Sect. 6. And be it further enacted, That it shall and may be lawful for the Lords and others of His Majesty's Privy Council, or any Two or more of them, to make such Order as they shall see necessary and expedient upon any unforeseen Emergency, or in any particular Case or Cases, with respect to any Vessel arriving and having any infectious Disease or Distemper on board, or on board of which any infectious Disease or Distemper may have appeared in the Course of the Voyage, or arriving under any other alarming or suspicious Circumstances as to Infection, although such Vessels shall not have come from any Place from which His Majesty, His Heirs or Successors, by and with the Advice of His Privy Council, may have adjudged and declared it probable that the Plague or any such infectious Disease or Distemper may be brought, and also with respect to the Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid on board the same; and in case of any infectious Disease or Distemper appearing or breaking out in the United Kingdom, or the Islands aforesaid, to make such Orders and give such Direction, in order to cut off all Communication between any Persons infected with any such Disease or Distemper, and the rest of His Majesty's Subjects, as shall appear to the said Lords or others of His Majesty's Privy Council, or any Two or more of them, to be necessary and expedient for that Purpose, and likewise to make such Orders as they shall see fit for shortening the Time of Quarantine to be performed by particular Vessels or particular Persons, Goods, Wares, Merchandize, or any other Articles, or for absolutely or conditionally releasing them or any of them from Quarantine; and all such Orders so made by the Lords or others of the Privy Council, or any Two or more of them as aforesaid, shall be as good, valid, and effectual, to all Intents and Purposes, as well with respect to the Commander, Master, or other Person having the Charge of any Vessel, and all other Persons on board the same, as with respect to any other Persons having any Intercourse or Communication with them, and to the Penalties, Forfeitures, and Punishments to which they may respectively become liable, as any Order or Orders made by His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, concerning Quarantine, notified by Proclamation or published in the *London Gazette*.

Regulations for Vessels in which Infection shall appear within or without the

Sect. 7. And be it further enacted, That if the Plague, or such other infectious Disease or Distemper as aforesaid, shall appear on board any Vessel within or without the Streights of *Gibraltar*, then the Commander, Master, or other Person having the Charge or Command thereof, shall immediately proceed to such Place

as His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, shall from Time to Time direct and appoint; where, being arrived, he shall make known his Case to some Officer of the Customs there, who shall with all possible Speed send Intelligence thereof to the Commissioners of the Customs in the Port of *London*, to the end that such Precautions may be used to prevent the spreading of the Infection, as the Case shall require; and the said Vessel shall there remain until Directions shall be given thereto by the Lords or others of His Majesty's Privy Council, or any Two or more of them; nor shall any of the Crew or Passengers on board thereof go on shore; and such Master and every other Person on board such Vessel shall obey such Directions as he shall receive from the Lords and others of His Majesty's Privy Council, or any Two or more of them as aforesaid; and the said Commander, Master, or any other Person on board such Vessel as aforesaid, who shall not act conformably to the Provisions and Regulations herein directed, or shall act in Disobedience to such Directions as shall be received on board such Vessel from the Lords or others of the Privy Council, or any Two or more of them as aforesaid, shall forfeit the Sum of One hundred Pounds.

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Streights of
Gibraltar.

Sect. 8. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel liable to the Performance of Quarantine, shall be and is hereby required, at all Times, when such Vessel shall meet with any other Vessel at Sea, or shall be within Two Leagues of the Coast of the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, to hoist a Signal to denote that his Vessel is liable to the Performance of Quarantine, which Signal shall in the Day-time, if the said Vessel shall have a Clean Bill of Health, a large Yellow Flag, of Six Breadths of Bunting, at the Maintop Mast-head, and if such Vessel shall not have a Clean Bill of Health, then a like Yellow Flag, with a circular Mark or Ball, entirely Black, in the Middle thereof, whose Diameter shall be equal to Two Breadths of Bunting; and in the Night-time the Signal shall in both Cases be a large Signal Lanthorn with a Light therein (such as is commonly used on board His Majesty's Ships of War) at the same Mast-head; and such Commander, Master, or other Person shall keep such Signals respectively, as the Case shall be, hoisted during such Time as the said Vessel shall continue within Sight of such other Vessel, or within Two Leagues of the said Coasts or Islands, and while so in Sight, or within such Distance, until such Vessel so liable to Quarantine as aforesaid shall have arrived at the Port or Place where it is to perform Quarantine, and until it shall have been legally discharged from the Performance thereof; on Failure whereof such Commander, Master, or other Person having Charge of such Ship or Vessel

Masters of Vessels liable to Quarantine to make Signals on meeting other Vessels at Sea, or being within Two Leagues of the United Kingdom, or *Guernsey*, &c. on Penalty of 100*l*.

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so liable to the Performance of Quarantine shall forfeit and pay for every such Offence the Sum of One hundred Pounds.

Masters of Vessels to hoist certain Signals when Plague or infectious Disease on board, on Penalty of 100*l*.

Sect. 9. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel on board whereof the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects shall actually be, shall be and is hereby required at all Times when such Vessel shall meet with any other Vessel at Sea, or shall be within Two Leagues of the Coast of the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, to hoist a Signal to denote that his Vessel has the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects actually on board thereof, which Signal shall be in the Day-time a Flag of Yellow and Black, borne Quarterly, of Eight Breadths of Bunting, at the Maintop Mast-head; and in the Night-time the Signal shall Two large Signal Lanthorns, such as are commonly used on board of His Majesty's Ships of War, one over the other, at the same Mast-head; and such Commander, Master, or other Person shall keep such Signal hoisted during such Time as the said Vessel so having the Plague or such other infectious Disease or Distemper as aforesaid on board thereof shall continue within Sight of such other Vessel, or within Two Leagues of the Coasts or Islands aforesaid, while so in Sight or within such Distance, until such Vessel so having the Plague or such other infectious Disease or Distemper as aforesaid on board thereof shall have arrived at the Port or Place where it is to perform Quarantine, and until it shall have been legally discharged from the Performance thereof; on Failure thereof such Commander, Master, or other Person having Charge of such Vessel shall forfeit and pay for every such Offence the Sum of One hundred Pounds.

Penalty on Persons hoisting Signals when not liable, 50*l*.

Sect. 10. And be it further enacted, That if any Commander, Master, or other Person having the Charge or Command of any Vessel, and knowing that the same is not liable to the Performance of Quarantine, shall hoist such Signal as aforesaid, or either of them, by Day or Night respectively, such Commander or other Person as aforesaid shall forfeit and pay the Sum of Fifty Pounds.

Masters of Vessels, on their Arrival from Foreign Parts, to give to the Pilots an Account of the Places at which

Sect. 11. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and twenty-five, as to all Vessels arriving from any Places beyond the *Cape of Good Hope*, or *Cape Horn* in *South America*, and after the First Day of *August* One thousand eight hundred and twenty-five, as to all Vessels arriving from any Parts of *Africa* or *America* not beyond those Capes, and from the *West Indies* and

Mediterranean, and from and after the First Day of *June* One thousand eight hundred and twenty-five, as to all Vessels arriving from any other Places, every Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts shall give to the Pilot who shall go on board such Vessel a written Paper, containing a true Account of the Names of the Place and Country at which such Vessel shall have loaded, and also of all the Places at which any such Vessel shall have touched on the Homeward Voyage, on pain of forfeiting the Sum of One hundred Pounds for any Neglect or Refusal to give such Paper, or for any false Representation or wilful Omission therein; and if by any Proclamation or Order of His Majesty in Council, made after the Departure of any Vessel from the United Kingdom and the said Islands, and then in force, Vessels coming from any Place mentioned in any such Paper shall be liable to the Performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander or other Person aforesaid of such Vessel, on pain of forfeiting the Sum of One hundred Pounds for any Neglect therein; and such Commander or other Person shall thereupon hoist a proper Signal, according to the Provisions of this Act, and under the Penalties in this Act contained for any Neglect or Refusal in respect of hoisting such Signals.

Sect. 12. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts, which shall not be liable to Quarantine in respect of the Place from whence such Vessel comes, shall give to the Pilot who shall go on board of such Vessel a written Paper, containing a true Account of the different Articles composing the Cargo of such Vessel, on pain of forfeiting the Sum of Fifty Pounds for any Neglect or Refusal to give such Paper, or for any false Representation or wilful Omission therein; and if by any Proclamation or Order of His Majesty in Council then in force Vessels having on board any of the Articles mentioned in such Paper shall be liable to the Performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander or other Person having the Charge of such Vessel, on pain of forfeiting One hundred Pounds for any Neglect therein, and such Commander or other Person shall thereupon hoist a Signal, according to the Provisions and under the respective Penalties in this Act contained, for any Neglect or Refusal in respect of hoisting such Signals; and in case any Pilot shall bring or cause to be brought or conducted any Vessel liable to the Performance of Quarantine, into any Place which is not or shall not be specially appointed for the Reception of Vessels so liable, after receiving such Paper as aforesaid, whereby it shall have been made appear that such Vessel was liable to the Performance of Quarantine, or without requiring and receiving such Paper as aforesaid, unless com-

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they shall have loaded and touched, on Penalty of 100*l*.

Pilots to give Notice of any Proclamation or Order in Council requiring the Performance of Quarantine, on Penalty of 100*l*.

Pilot to give Notice, if any Articles be on board liable to Quarantine, on Penalty of 100*l*.

Penalty on Pilots conducting Vessels to any other Place than that appointed for their Reception, 200*l*.

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pelled thereto by Stress of Weather, adverse Winds, or Accidents of the Sea, such Pilot shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

Pilot to bring
to at Request of
Officer of Customs, on
Penalty of 100*l*.

Sect. 13. And be it further enacted, That if any Pilot being on board, or any Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts, whether such Vessel shall be liable to Quarantine or not, shall be required by any Officer of the Customs, authorized to act in the Service of Quarantine, to bring to such Vessel, to the end that the Commander, Master, or other Person having the Charge thereof may be interrogated, according to the Provision of this Act, and shall neglect or refuse to bring to such Vessel, as soon as it can be done with Safety, in obedience to such Requisition, every such Pilot, Commander, Master, or other Person having the Charge of any such Vessel shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

For better
ascertaining
whether Vessels
be actually
infected, or the
Persons on
board liable to
Orders touching
Quarantine.

Sect. 14. And to the end that it may be better known whether any Vessel be actually infected with the Plague or other infectious Disease or Distemper as aforesaid, or whether such Vessel, or the Mariners or Passengers coming, or the Cargo imported in the same, are liable to any Orders touching Quarantine, be it further enacted, That when any Country or Place shall be known or suspected to be infected with the Plague or other infectious Disease or Distemper as aforesaid, or when any Order or Orders shall be made by His Majesty in Council concerning Quarantine and the Prevention of Infection as aforesaid, then and in such Case, as often as any Vessel shall attempt to enter into any Port or Place in the United Kingdom, or of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, whether such Port shall have been appointed for the Performance of Quarantine or not, the Superintendent or Assistant at such Port or Place, or if not, the principal Officer of His Majesty's Customs at such Port or Place, or such Officer of the Customs as shall be authorized to act in that Behalf, shall go off to such Vessel (1), and shall, at a convenient Distance from such Vessel, demand of the Commander, Master, or other Person having Charge of such Vessel, and such Commander, Master, or other Person shall, upon such Demand, give a true Answer in Writing or otherwise, and upon Oath or not upon Oath, according as he shall by such Superintendent or his Assistant, or other Officer of the Customs authorized as aforesaid, be required, to all such Questions or Interrogatories as shall be put to him by virtue and in pursuance of such Regulations and Directions as His Majesty by Order in Council shall be pleased to prescribe; and in case such Commander or Master or other Person having Charge of such Vessel shall, upon such Demand made as afore-

Masters of Vessels refusing to answer Interrogatories, &c. to forfeit 200*l*.

(1) See Order in Council, 19th July 1825, § 8.

said, refuse to make a true Discovery in any of the Particulars concerning which he shall be interrogated in manner aforesaid, or in case he shall not be required to answer such Questions or Interrogatories upon Oath, shall give a false Answer to any such Question or Interrogatory as aforesaid, such Commander, Master, or other Person having Charge of such Vessel for every such Offence shall forfeit and pay the Sum of Two hundred Pounds.

Sect. 15. And be it further enacted, That in case it shall appear upon such Examination or otherwise, that such Vessel is under such Circumstances as shall render it liable to perform Quarantine, and that the Port or Place where it so arrived, or at which it attempts to enter as aforesaid, is not the Port or Place where it ought to perform Quarantine, in which Case it shall and may be lawful to and for the Officers of any of His Majesty's Ships of War, or of any of His Majesty's Forts or Garrisons, and all other His Majesty's Officers, upon Notice thereof given to them, or any of them respectively, and to and for any other Person or Persons whom they shall call to their Aid and Assistance, and such Officers and other Persons are hereby required to oblige such Vessel to go and repair to such Place as hath been or shall be appointed for Performance of Quarantine, and to use all necessary Means for that Purpose, either by firing of Guns upon such Vessel, or by any other Kind of necessary Force whatsoever; and in case any such Vessel shall come from, or shall have touched at any Place infected by the Plague or such other infectious Disease or Distemper as aforesaid, or shall have any Person on board actually infected with the Plague or other such infectious Disease or Distemper as aforesaid, and the Commander, Master, or other Person having Charge of such Vessel, knowing that the Place from whence he came, or at which he had touched as aforesaid, was infected with the Plague or such other infectious Disease or Distemper, or knowing some Person on board to be actually infected with the Plague or such other infectious Disease or Distemper as aforesaid, shall refuse or omit to disclose the same upon such Examination as aforesaid, or shall wilfully omit to hoist the Signal herein-before directed, to denote that his Vessel is liable to the Performance of Quarantine, at the Times and on the Occasions herein directed with respect to the same, such Commander, Master, or other Person having Charge of such Vessel shall forfeit the Sum of Three hundred Pounds.

Sect. 16. And be it further enacted, That every Commander, Master, or other Person having Charge of any Vessel which shall be ordered to perform Quarantine as aforesaid, shall forthwith, after his Arrival at the Place appointed for the Performance of Quarantine, deliver on demand to the Superintendent

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Vessels subject to Quarantine arriving at any other Port than that at which it ought to be performed may be forced to repair to the appointed Place.

Masters of Vessels that have touched at infected Places, &c. omitting to disclose the same, or omitting to hoist the prescribed Signal, to forfeit 300*l*.

Commanders to deliver up Bills of Health, Manifests, and Log Book, to the Superin-

QUARANTINE.
—
tendent of
Quarantine, on
Penalty of 100*l*.

of Quarantine or his Assistant, or other Officer of the Customs, authorized to act in that Behalf, and which Superintendent, Assistant, or other Officer as aforesaid is hereby required to make such Demand, his Bill of Health and Manifest, together with his Log Book and Journal, under pain of forfeiting the Sum of One hundred Pounds if he shall wilfully refuse or neglect so to do.

Penalty on
Masters, &c.
quitting Ves-
sels, or per-
mitting Persons
to quit them, or
not conveying
same to the
appointed
Places, 400*l*.

Sect. 17. And be it further enacted, That if any Commander, Master, or other Person having Charge of any Vessel liable to perform Quarantine, and on board of which the Plague or other infectious Disease or Distemper shall not then have appeared, shall himself quit, or shall knowingly permit or suffer any Seaman or Passenger coming in such Vessel to quit such Vessel by going on shore, or by going on board any other Vessel or Boat, before such Quarantine shall be fully performed, unless by such Licence as shall be granted by virtue of any Order in Council to be made concerning Quarantine as aforesaid, or in case any Commander or other Person having Charge of such Vessel shall not, within a convenient Time after due Notice given for that Purpose, cause such Vessel and the Lading thereof to be conveyed into the Place or Places appointed for such Vessel and Lading to perform Quarantine; then and in every such Case every such Commander, Master, or other Person as aforesaid for every such Offence shall forfeit and pay the Sum of Four hundred Pounds; and if any such Person coming in any such Vessel liable to Quarantine (or any Pilot or other Person going on board the same, either before or after the Arrival of such Vessel at any Port or Place in the United Kingdom, or the Islands aforesaid), shall, either before or after such Arrival, quit such Vessel, unless by such Licence as aforesaid, by going on shore in any Port or Place in the United Kingdom, or the Islands aforesaid, or by going on board any other Vessel or Boat, with Intent to go on shore as aforesaid, before such Vessel so liable to Quarantine as aforesaid shall be regularly discharged from the Performance thereof, it shall and may be lawful for any Person whatsoever, by any kind of necessary Force, to compel such Pilot or other Person so quitting such Vessel so liable to Quarantine to return on board the same; and every such Pilot or other Person so quitting such Vessel so liable to Quarantine shall for every such Offence suffer Imprisonment for the Space of Six Months, and shall forfeit and pay the Sum of Three hundred Pounds.

Penalty on
Persons coming
in such Vessels,
or going on
board, and
quitting them
before dis-
charged from
Quarantine, to
suffer Imprison-
ment for Six
Months, and
forfeit 300*l*.

For punishing
Disobedience
or refractory
Behaviour in
Persons under
or liable to
Quarantine, or

Sect. 18. And whereas Disobedience or refractory Behaviour in Persons under Quarantine or liable to the Performance of Quarantine, or in other Persons who may have had any Intercourse or Communication with them, may be attended with very great Danger to His Majesty's Subjects; be it further enacted, That all Persons liable to perform Quarantine, and all

Persons having had any Intercourse or Communication with them, whether in Vessels or in a Lazaret or elsewhere, shall be subject, during the said Quarantine, or during the Time they shall be liable to Quarantine, to such Orders as they shall receive from the Superintendent of Quarantine, or his Assistant, or from the Principal Officer of the Customs at any Port or Place where there is no such Superintendent or Assistant, or from any other Officer of the Customs authorized to act in that Behalf, and the said Officers are hereby empowered and required to enforce all necessary Obedience to the said Orders, and in case of Necessity to call in others to their Assistance, and all Persons so called in are hereby required to assist accordingly; and such Officers shall and they are hereby empowered and required to compel all Persons liable to perform Quarantine as aforesaid, and Persons having had any Intercourse or Communication with them, to repair to such Lazaret, Vessel, or Place, and to cause all Goods, Wares, and Merchandize, and other Articles comprised within any such Orders to be made as last aforesaid, to be conveyed to such Lazaret, Vessel, or Place duly appointed in that Behalf, in such Manner and according to such Directions as shall be made by Order of His Majesty in Council as aforesaid, or of the Lords or others of the Privy Council, or of any Two or more of them; and if any Person or Persons liable to perform Quarantine as aforesaid, or any Person or Persons having had any Intercourse or Communication with him, her, or them, shall wilfully refuse or neglect to repair forthwith, when required and directed so to do by such Officers as aforesaid, to the said Lazaret, Vessel, or Place duly appointed in that Behalf, or having been placed in the said Lazaret, Vessel, or Place, shall escape or attempt to escape out of the same before Quarantine duly performed, it shall and may be lawful to and for the said Quarantine Officers, and also the Watchmen and other Persons appointed to see Quarantine performed, and each of them, and they are hereby respectively required, by such necessary Force as the Case shall require, to compel every such Person so refusing or neglecting as aforesaid, and every such Person so escaping or attempting to escape as aforesaid, to repair or return to such Lazaret, Vessel, or Place so appointed as aforesaid; and every Person so refusing or neglecting to repair forthwith as aforesaid to the said Lazaret, Vessel, or Place, and also every Person actually escaping as aforesaid, shall forfeit the Penalty of Two hundred Pounds.

QUARANTINE.

Persons having
Intercourse
with them.

Persons re-
fusing to repair
to the Lazaret
or Vessel to
forfeit 200l.

Sect. 19. And be it further enacted, That it shall be lawful for any Constable, Headborough, Tithingman, or other Peace Officer, or any other Person, to seize and apprehend any Person that shall, contrary to the Provisions of this Act, have quitted or come on shore from any Vessel liable to perform Quarantine, or who shall have escaped from or quitted any Vessel under Quarantine, or from any Lazaret, Vessel, or Place appointed in

Persons quit-
ting Vessels
liable to perform
Quarantine, &c.
may be seized.

QUARANTINE.

that Behalf, for the Purpose of carrying such Person before any Justice of the Peace or Magistrate; and it shall be lawful for any such Justice of the Peace or Magistrate to grant his Warrant for the apprehending and conveying of any such Person to the Vessel from which he or she shall have come on shore, or to any Vessel performing Quarantine, or Lazaret, from which he or she shall have escaped, or for the confining of any such Person in any such Place of safe Custody (not being a public Gaol), and under such Restrictions as to having any Communication with any other Persons as may in the Discretion of any Justice of the Peace or Magistrate (calling to his Aid, if he shall see fit, any Medical Person) appear to be proper, until such Person can be safely and securely conveyed to some Place appointed for the Performance of Quarantine, or until Directions can be obtained from the Privy Council as to the Disposal of any such Person, and to make any further Order or grant any further Warrant that may be necessary in that Behalf.

Intercourse with Stations allotted for Quarantine of Vessels may be prohibited by Order in Council.

Sect. 20. And whereas it may be necessary for the public Security to prevent all Communication whatever with Vessels performing Quarantine; be it therefore further enacted, That it shall and may be lawful to and for His Majesty, His Heirs or Successors, by His or Their Order or Orders in Council, notified by Proclamation or published in the *London Gazette*, to prohibit all Persons, Vessels, and Boats whatsoever from going, under any Pretence whatsoever, within the Limits of any Station which by any Order or Orders in Council as aforesaid has been or may be assigned for the Performance of Quarantine; and if any Person whatsoever, after such Notification or Publication of any such Order or Orders in Council, shall presume, under any Pretence whatsoever, to go with any Vessel or Boat within the Limits of any such Station, he or she shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

Penalty on Persons embezzling Goods performing Quarantine, neglecting or deserting their Duty, or permitting Persons, Vessels, &c. to depart without Authority, or giving false Certificates or damaging Goods.

Sect. 21. And be it further enacted, That if any Officer of His Majesty's Customs, or any other Officer or Person whatsoever, to whom it doth or shall appertain to execute any Order or Orders made or to be made concerning Quarantine, or the Prevention of Infection, and notified as aforesaid, or to see the same put in execution, shall knowingly and wilfully embezzle any Goods or Articles performing Quarantine, or be guilty of any other Breach or Neglect of his Duty in respect of the Vessels, Persons, Goods, or Articles performing Quarantine, every such Officer or Person so offending shall forfeit such Office or Employment as he may be possessed of, and shall become from thence incapable to hold or enjoy the same, or to take a new Grant thereof; and every such Officer and Person shall forfeit and pay the Sum of Two hundred Pounds; and if any such Officer or Person shall desert from his Duty when

employed as aforesaid, or shall knowingly and willingly permit any Person, Vessel, Goods, or Merchandize to depart or be conveyed out of the said Lazaret, Vessel, or other Place as aforesaid, unless by Permission under an Order of His Majesty, by and with the Advice of His Privy Council, or under an Order of Two or more of the Lords or others of His Privy Council; or if any Person hereby authorized and directed to give a Certificate of a Vessel having duly performed Quarantine or airing, shall knowingly give a false Certificate thereof, every such Person so offending shall be guilty of Felony; and if any such Officer or Person shall knowingly or wilfully damage any Goods performing Quarantine under his Direction, he shall be liable to pay One hundred Pounds Damages and full Costs of Suit to the Owner of the same.

QUARANTINE.

Sect. 22. And be it further enacted, That if any Vessel arriving from the *Mediterranean*, or from any Port in *Turkey* or *Africa*, shall have undergone Examination by the proper Officer of Quarantine, and upon a Report of such Examination being made to the Lords or others of His Majesty's Privy Council their Lordships shall think proper to direct the Release of such Vessel from the Performance of Quarantine, it shall be lawful for such Officer and he is hereby required to grant to the Master or Person having the Charge or Command of such Vessel a Certificate in Writing of such Examination and Release, and upon the Production of such Certificate to the Collector or principal Officer of His Majesty's Customs, at any Port in the United Kingdom, such Vessel shall be admitted to Entry without being liable to any further Restraint.

Vessels from the Mediterranean, Turkey, or Africa having undergone Examination and released from Quarantine, to be admitted to Entry upon producing a Certificate of such Examination.

Sect. 23. And be it further enacted, That after Quarantine shall have been duly performed by any Vessel, Person or Persons obliged to perform Quarantine as aforesaid, according to this Act, and to such Order or Orders made as aforesaid, and upon Proof to be made by the Oaths of the Master or other Person having Charge of such Vessel, and of Three or more of the Persons belonging thereto, or upon Proof to be made by the Oaths of Two or more credible Witnesses, before the Collector or principal Officer of the Customs at the Port where such Quarantine shall be performed, or at the Port nearest thereto, or before the Superintendent of Quarantine, or his Assistant at the Quarantine Station, or before any Justice of the Peace living near to the Port or Place, or when such Quarantine shall have been performed within any of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, before any Two Jurats or Magistrates of any of the said Isles respectively, that such Vessel, and all and every such Person and Persons respectively, have duly performed Quarantine as aforesaid, and that the Vessel and all and every Person and Persons are free from Infection, and after producing a Certificate to that Pur-

After Proof of Performance of Quarantine, and proper Certificate to that Effect, Vessels or Persons shall not be liable to further Detention.

QUARANTINE.

pose, signed by the Chief Officer who superintended the Quarantine of the said Vessel, or Person acting for him, then and in the said respective Cases such Collector or principal Officer of the Customs, or the Superintendent of Quarantine, or his Assistant, or such Justice of the Peace, or such Jurats or Magistrates as aforesaid, respectively, are hereby required to give a Certificate thereof, and thereupon such Vessel, and all and every such Person or Persons so having performed Quarantine, shall be liable to no further Restraint or Detention upon the same Account for which such Vessel, Person or Persons shall have performed Quarantine as aforesaid.

Goods liable to perform Quarantine shall be opened and aired, as directed by Order in Council, and Proof thereof to be made, &c.

Sect. 24. And be it further enacted, That all Goods, Wares, and Merchandize, and other Articles liable to Quarantine as aforesaid, shall be opened and aired in such Place or Places, and for such Time and in such Manner, as shall be directed by His Majesty, His Heirs and Successors, by such Order or Orders to be made as aforesaid; and after such Orders shall have been duly complied with, Proof thereof shall be made by the Oaths of the Master of the Lazaret or Vessel in which the Goods, Wares, and Merchandize, and all other Articles, shall have been opened and aired, and of one of the Guardians, or if there be no Guardians, then one of the Officers authorized by the Commissioners of Customs to act in the Service of Quarantine in such Lazaret or Vessel, or if there be no such Officer, then by the Oaths of Two or more credible Witnesses serving in the said Lazaret or Vessel, before the Superintendent of Quarantine or his Assistant, in case such Opening and Airing shall be had at a Port or Place where such Superintendent or Assistant shall be established, or otherwise before the principal Officer of the Customs authorized to act in the Service of Quarantine at such Port or Place, which Oath such Superintendent, Assistant, or principal Officer is hereby authorized to administer; and such Superintendent, Assistant, or principal Officer, as the Case may be, shall grant a Certificate of such Proof having been made, and upon Production of such Certificate to the proper Officer of the Customs such Goods, Wares, and Merchandizes, and other Articles, shall be liable to no further Restraint or Detention, either at the Port or Place where such Quarantine shall have been performed, or at any other Place whereto they be afterwards conveyed.

Persons forging or uttering false Certificates required by Order in Council guilty of Felony.

Sect. 25. And be it further enacted, That if any Person shall knowingly or wilfully forge or counterfeit, interline, erase, or alter, or procure to be forged or counterfeited, interlined, erased, or altered, any Certificate directed or required to be granted by any Order of His Majesty, His Heirs or Successors, in Council, now in force or hereafter to be made touching Quarantine, or shall publish any such forged or counterfeited, interlined, erased, or altered Certificate, knowing the same to

be forged or counterfeited, interlined, erased, or altered, or shall knowingly and wilfully utter and publish any such Certificate with Intent to obtain the Effect of a true Certificate to be given thereto, knowing the Contents of such Certificate to be false, he or she shall be guilty of Felony.

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Sect. 26. And be it further enacted, That if any Person shall land or unship, or shall move in order to the landing or unshipping thereof, any Goods, Wares, or Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles from on board any Vessel liable to perform Quarantine as aforesaid, or shall knowingly receive the same after they have been so landed or unshipped, every such Person shall forfeit and pay the Sum of Five hundred Pounds; and if any Person or Persons shall clandestinely convey or secrete, or conceal for the Purpose of conveying any Letters, Goods, Wares, or Merchandize, or other Articles as aforesaid, from any Vessel actually performing Quarantine, or from the Lazaret or other Place where such Goods, Wares, Merchandize, or other Articles as aforesaid shall be performing Quarantine, every such Person so offending as last aforesaid shall forfeit the Sum of One hundred Pounds.

Penalty on Persons landing Goods, &c. from Vessels liable to perform Quarantine, or receiving them, or secreting them from Vessels performing Quarantine, 100*l*.

Sect. 27. And be it further enacted, That in case it shall at any Time happen that any Part of the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, or *France, Spain, or Portugal*, or the *Low Countries*, shall be infected with the Plague, or any other infectious Disease or Distemper as aforesaid, it shall and may be lawful to and for His Majesty, His Heirs and Successors, by His or Their Proclamation, to prohibit or restrain all Vessels and Boats under the Burden of One hundred Tons from sailing or passing out of any Port or Place of the United Kingdom, or the Isles of *Guernsey, Jersey, Alderney, Sark, or Man*, or any of them, until Security be first given by the Master of every such Vessel or Boat respectively to the Satisfaction of the principal Officers of the Customs, or the Chief Magistrate of the Port or Place from whence such Vessel or Boat shall sail, by Bond taken by such Officer or Magistrate to the King, His Heirs or Successors, with sufficient Sureties in the Penalty of Two hundred Pounds, with Condition that if such Vessel or Boat shall not go to or touch at any Country, Port, or Place to be mentioned for that Purpose in such Proclamation, and if neither the Master or other Person having Charge of such Vessel or Boat, nor any Mariner or Passenger in such Vessel or Boat, shall, during the Time aforesaid, go on board any other Vessel at Sea, and such Master or other Person having Charge of such Vessel or Boat shall not permit or suffer any Person or Persons to come on board such Vessel or Boat at Sea from any other Vessel, and shall not during the Time aforesaid receive any

His Majesty in certain Cases may prohibit Vessels under 100 Tons from sailing until Bond be given by the Master with certain Conditions.

QUARANTINE.

Penalty for sailing without giving such Security, Forfeiture of Vessel, &c.

Goods or Merchandize whatsoever out of any other Vessel, then such Bond shall be void; for the making of which Bond no Fee or Reward whatsoever shall be taken; and in case any Vessel or Boat for which such Security shall be required by such Proclamation shall set sail or pass out of any Port or Place of the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or any of them respectively, before Security be given as aforesaid, every such Vessel or Boat so sailing or passing out of any Port or Place contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel, and Furniture, shall be forfeited to His Majesty, His Heirs and Successors, and the Master of and every Mariner sailing in such Vessel or Boat shall severally forfeit and pay the Sum of Two hundred Pounds.

Power to Consuls, &c. to administer Oaths.

Sect. 28. And be it further enacted, That the Consuls and Vice Consuls of His Majesty, His Heirs and Successors, shall and are hereby empowered to administer Oaths in all Cases respecting Quarantine, in like Manner as if they were Magistrates of the several Towns or Places where they respectively reside.

Persons authorized to take Examinations may administer Oaths, and Persons swearing falsely or procuring others so to do shall be deemed guilty of Perjury.

Sect. 29. And be it further enacted, That in all Cases wherein by virtue of this Act, or any other Act hereafter to be made touching Quarantine, any Examination or Answer shall be taken or made upon Oath, the Person who shall be authorized and required to take such Examinations and Answers shall and may be deemed to have full Power and Authority to administer such Oaths; and if any Person who shall be interrogated or examined shall wilfully swear falsely to any Matter concerning which such Person shall depose or make Oath on such Examination, or in such Answer, or if any Person shall procure any other Person so to do, he or she so swearing falsely, or procuring any other Person so to do, shall be deemed to have been guilty of, and shall be liable to be prosecuted for Perjury, or Subornation of Perjury, as the Case may be, and shall suffer the Pains, Penalties, and Punishments of the Law in such Case respectively made and provided.

Superintendents at Ports to be appointed. Principal Officer of the Customs to act as Superintendent of Quarantine in case of Absence, &c.

Sect. 30. And be it further enacted, That all Superintendents of Quarantine at the several Ports, and their Assistants, shall and may be appointed by any Instrument signed by the Commissioners of Customs for the Time being; and every thing required to be done and performed by the Superintendent of Quarantine, or his Assistant, may, in case of the Absence or Sickness of such Superintendent or Assistant, be done and performed by such principal Officer of the Customs as shall be authorized to act in that Behalf.

Sect. 31. And be it further enacted, That the Publication in the *London Gazette* of any Order in Council, or of any Order by any Two or more of the Lords or others of His Majesty's Privy Council, made in pursuance of this Act, or His Majesty's Royal Proclamation made in pursuance of the same, shall be deemed and taken to be sufficient Notice to all Persons concerned of all Matters therein respectively contained.

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Publication in the *London Gazette* of Orders in Council, &c. sufficient Notice.

Sect. 32. And be it further enacted, That all Forfeitures and Penalties that shall be incurred by reason of any Offence committed against this Act shall and may be recovered by Suit in any of His Majesty's Courts of Record in *England* or *Ireland*, in which no Essoign or Wager of Law, or more than One Imparlance, shall be granted; or in *Scotland*, by summary Action in the Court of Session, or by Prosecution before the Court of Justiciary there, or by Suit in any of His Majesty's Courts in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*; and every such Forfeiture and Penalty shall belong and be given, Two Thirds to the Person who shall inform and sue for the same, and the Remainder to His Majesty, His Heirs and Successors.

Recovery and Application of Penalties.

Sect. 33. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any Action, Bill, Complaint, Information, or Prosecution, or Actions, Bills, Complaints, Informations, or Prosecutions, in any of His Majesty's Courts in *England*, *Ireland*, or *Scotland*, or any Proceeding or Proceedings before any Justice of the Peace of any County, Riding, Division, City, Town, Stewartry, or Place for the Recovery of any Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures, incurred by reason of any Offence committed against this Act, or against any Order or Orders made by His Majesty, His Heirs or Successors, in Council, or by Two or more of the Lords or others of His Majesty's Privy Council as aforesaid, unless the same be commenced, prosecuted, entered, or filed in the Names of His Majesty's Attorney General in *England* or *Ireland*, or Advocate in *Scotland* respectively, or under the Direction of the Commissioners of the Customs, and in the Name or Names of some Officer or Officers of the Customs in *England*, *Ireland*, or *Scotland* respectively; and if any Action, Bill, Complaint, Information, or Prosecution, Actions, Bills, Complaints, Informations, or Prosecutions, or any Proceeding or Proceedings before any Justice as aforesaid, shall be commenced, prosecuted, entered, and filed in the Name or Names of any other Person or Persons than is in that Behalf before mentioned, the same shall be and are hereby declared to be null and void.

In whose Name Actions for Penalties in *England*, *Ireland*, or *Scotland* must be prosecuted.

QUARANTINE.

In Prosecutions by Officers of the Customs the Attorney General in England or Ireland, or Advocate in Scotland, may stop Proceedings.

Sect. 34. Provided also, and be it further enacted, That in case any Prosecution, Suit, Complaint, or other Proceeding as aforesaid shall be commenced or depending by any Officer or Officers of the Customs for the Recovery of any Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures, incurred by reason of any Offence committed against this Act, or against any Order or Orders made by His Majesty, His Heirs or Successors, in Council, or by any Two or more of the Lords or others of His Majesty's Privy Council as aforesaid, it shall and may be lawful for His Majesty's Attorney General in *England* or *Ireland*, or Advocate in *Scotland* respectively, to stop all further Proceedings therein, as well with respect to the Share of such Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures, to which any such Officer or Officers shall or may claim to be entitled, as to the Share thereof belonging to His Majesty, if upon Consideration of the Circumstances under which any such Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures, may be incurred, it shall appear to them respectively to be fit and proper so to do.

Offences not being Felony, and Offences for which no specific Penalty is provided, may be determined before Three Justices, who may fine or imprison.

Sect. 35. And be it further enacted, That all Offences committed against any of the Provisions of this Act for which no specific Penalty, Forfeiture, or Punishment is provided by this Act shall and may be tried, heard, and determined before any Three Justices of the Peace of the County, Riding, Division, City, or Place where such Offence or Disobedience shall happen; and if any Person shall be convicted of any such Offence or Disobedience he or she shall be liable to such Forfeiture and Penalty not exceeding the Sum of Five hundred Pounds for any Offence, or to such Imprisonment, not exceeding Twelve Months for any One Offence, as shall in the Discretion of the Three Justices who shall have heard and determined the same be judged proper; and such Forfeiture and Penalty shall be paid, Two Thirds to the Person suing for the same, and the Remainder to His Majesty, to be applied as the Proceeds of other Forfeitures and Penalties are herein-before directed to be applied.

Application of Penalties.

Answers of Persons having the Charge of Vessels shall be received as Evidence so far as relates to the Places from which Vessels came, or at which they touched, and the having been

Sect. 36. And be it further enacted, That in any Prosecution, Suit, or other Proceedings against any Person or Persons whatsoever for any Offence against this Act, or any Act which may hereafter be passed concerning Quarantine, or for any Breach or Disobedience of any Order or Orders which shall be made by His Majesty, His Heirs or Successors, with the Advice of His Privy Council, concerning Quarantine and the Prevention of Infection, and notified or published as aforesaid, or of any Order or Orders made by Two or more of the Lords or others of the Privy Council aforesaid, the Answer or Answers of the Commander, Master, or other Person having

*Charge of any Vessel to any Question or Interrogatories put to him by virtue and in pursuance of this Act, or of any Act which may hereafter be passed concerning Quarantine, or of any such Order or Orders as aforesaid, may and shall be given and received as Evidence, so far as the same relates or relate to the Place from which such Vessel shall come, or to the Place or Places at which such Vessel touched in the Course of the Voyage, and where any Vessel shall have been directed to perform Quarantine by the Superintendent of Quarantine or his Assistant, or where there is no such Superintendent or Assistant, by the principal Officer of the Customs at any Port or Place, or other Officer of the Customs authorized to act in that Behalf, they having been so directed to perform Quarantine, may and shall be given and received as Evidence that such Vessel was liable to Quarantine, unless satisfactory Proof shall be produced by the Defendant in any such Prosecution, Suit, or other Proceeding, to show that the Vessel did not come from or touch at any such Place or Places as is or are stated in the said Answer or Answers, or that such Vessel, although directed to perform Quarantine, was not liable to the Performance thereof; and where any such Vessel shall have in fact been put under Quarantine at any Port or Place by the Superintendent of Quarantine or his Assistant, or other Officer of the Customs authorized as aforesaid to act in that Behalf, and shall actually be performing the same, such Vessel shall in any Prosecution, Suit, or other Proceeding against any Person or Persons whatever for any Offence against this Act, or any other Act which may hereafter be passed concerning Quarantine and the Prevention of Infection, or any Order or Orders which shall be made by His Majesty in Council, or any Two or more of the Lords or others of His Privy Council as aforesaid, be deemed and taken to be liable to Quarantine, without proving in what Manner or from what Circumstance such Vessel became liable to the Performance thereof.

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directed to perform Quarantine shall be received as Evidence that Vessels were liable, unless Proof be made to the contrary, and the being performing Quarantine shall be Proof of Vessels being liable to perform it.

Sect. 37, And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or execution of this present Act, or of any Order of Council made by virtue thereof, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and in execution of the said Act; and if it shall appear so to have been done then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall have been given upon any Verdict or Demurrer against the Plaintiff, the

General Issue.

Treble Costs.

QUARANTINE.

Limitation of
Actions.

Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as the Defendant or Defendants hath or have in other Cases by Law; and that no such Action or Suit shall be brought against any Person for any Matter or Thing done in pursuance or execution of this Act, but within the Space of Six Months after such Matter or Thing shall have been done.

ORDERS IN COUNCIL.

At the Court at WINDSOR, the 19th Day of July 1825.

Present, the King's most Excellent Majesty in Council.

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof*, it is amongst other things enacted, that from and after the First Day of *June* One thousand eight hundred and twenty-five, all Vessels, as well His Majesty's Ships of War as others, coming from or having touched at any Place from whence His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, shall have adjudged and declared it probable that the Plague or other infectious Disease or Distemper, highly dangerous to the Health of His Majesty's Subjects, may be brought, and all Vessels and Boats receiving any Person, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Articles whatsoever, from or out of any Vessel so coming from or having touched at such infected Place as aforesaid, whether such Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles, shall have come or been brought in such Vessels, or such Persons shall have gone, or Articles have been put on board the same, either before or after the Arrival of such Ships or Vessels at any Port or Place in the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, and whether such Vessels were or were not bound to any Port or Place in the United Kingdom or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Articles whatsoever, on board any Vessels so coming from or having touched at such infected Place as aforesaid, or on board of any such Receiving Vessels or Boats as aforesaid, shall be and be considered to be liable to Quarantine within the Meaning of the said Act, and of any Order or Orders which shall be made by His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, concerning Quarantine and the Prevention of Infection, from the Time of the Departure of such Vessels from such infected Place as aforesaid, or from the Time when such Persons, Goods, Wares, Merchandize, Packets,

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Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles shall have been received on board respectively ; and that such Vessels and Boats as aforesaid, and all Persons (as well Pilots as others), Goods, Wares, and Merchandizes, and other Articles as aforesaid, whether coming or brought in such Vessels or Boats, from such infected Place as aforesaid, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid, on board such Receiving Vessel or Boat as aforesaid, shall, upon their Arrival at any such Port or Place, be obliged to perform Quarantine in such Place or Places, for such Time and in such Manner as shall from Time to Time be directed by His Majesty, His Heirs or Successors, by His or Their Order or Orders in Council, notified by Proclamation, or published in the *London Gazette* ; and that until such Vessels and Boats, Persons, Goods, Wares, and Merchandizes, and other Articles as aforesaid, shall have respectively performed and shall be duly discharged from Quarantine, no such Person, Goods, Wares, or Merchandize, or other Articles as aforesaid, or any of them, shall, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom or the Islands aforesaid, come or be brought on shore, or go or be put on board any other Vessel or Boat, in order to come or be brought on shore, in any such Port or Place, although such Vessels so coming from such infected Place as aforesaid may not be bound to any Port or Place in the United Kingdom or the Islands aforesaid, unless in such Manner, and in such Cases, and by such Licence, as shall be directed or permitted by such Order or Orders made by His Majesty, His Heirs or Successors, in Council as aforesaid ; and that all such Vessels and Boats, whether coming from such infected Place as aforesaid or being otherwise liable to Quarantine as aforesaid, and all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and other Articles as aforesaid, whether coming or brought in such Vessels or Boats, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats, at any Port or Place in the United Kingdom, or the Islands aforesaid ; and although such Vessels or Boats shall not be bound to any Port or Place in the United Kingdom, or the Islands aforesaid ; and that all Commanders, Masters, or other Persons having the Charge or Command of any such Vessels or Boats, whether coming from any infected Place, or being otherwise liable to Quarantine as aforesaid, shall be subject to all the Provisions, Rules, Regulations, and Restrictions contained in the said Act, or in any Order or Orders which shall be made by His Majesty, His Heirs and Successors, in Council as aforesaid, concerning Quarantine and the Pre-

vention of Infection, and to all the Pains, Penalties, Forfeitures, and Punishments contained in the said Act for any Breach or Disobedience thereof, or of any Order or Orders of His Majesty in Council made under the Authority thereof :

And whereas, after reciting that certain Sorts of Goods and Merchandize are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into the United Kingdom or the Islands aforesaid, it is likewise enacted, that all such Goods and Merchandize as shall be particularly specified for that Purpose in any Order or Orders made by His Majesty, His Heirs or Successors, in Council, concerning Quarantine and the Prevention of Infection as aforesaid, which shall be brought or imported into any Port or Place in the United Kingdom or the Islands aforesaid, from any Foreign Country or Place in any Vessel whatsoever, and the Vessels in which the same shall be brought, and also all Vessels which shall arrive from any Port or Place whatever under any alarming or suspicious Circumstances as to Infection, shall be subject and liable to such Regulations and Restrictions as shall be made by such Order or Orders of His Majesty, His Heirs or Successors, in Council as aforesaid, respecting the same :

His Majesty, under the Authority of the said above-recited Act, by and with the Advice of His Privy Council, doth hereby adjudge and declare it probable, that the Plague, or some other infectious Disease or Distemper, highly dangerous to the Health of His Majesty's Subjects, may be brought into the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, by Vessels coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, with or without clean Bills of Health, and also by the Importation into the United Kingdom, or the Islands aforesaid, of certain Goods, Wares, and Merchandizes herein-after enumerated, being the Growth, Produce, or Manufacture of *Turkey*, or of any Place in *Africa*, within the Streights of *Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, from any Port or Place in *Europe* without the *Streights*, or on the Continent of *America*, at which there is not a regular Establishment for the Performance of Quarantine, which shall have been declared sufficient for that Purpose by any Order of His Majesty in Council, notified by Proclamation, or published in the *London Gazette*, and His Majesty is therefore pleased, by and with the Advice of His Privy Council, to order, and it is hereby ordered :

Sect. 1. That all Vessels, as well His Majesty's Ships of War as all others (not having the Plague or such other infectious Disease or Distemper as aforesaid actually on board), coming

Vessels coming
from the Medi-
terranean or

QUARANTINE.

from West
Barbary, and
Vessels re-
ceiving Persons
or any Articles
from such Ves-
sels, and Per-
sons and Goods
coming in such
Vessels, or being
on board such
receiving Ves-
sels, liable to
Quarantine.

from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, with clean Bills of Health, and all Vessels and Boats receiving any Person or Persons, Goods, Wares, or Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Articles whatever, from or out of any such Vessel, before such Vessel shall have performed and shall be duly discharged from Quarantine, whether such Person or Persons, Goods, Wares, or Merchandize, or other Articles as aforesaid, shall have come or been brought in such Vessel, or such Person or Persons shall have gone, or Articles have been put on board the same, either before or after the Arrival of such Vessel, and whether such Vessel was or was not bound to any Port or Place in the United Kingdom or the Islands aforesaid, shall, together with all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and other Articles as aforesaid on board thereof, perform such Quarantine for such Time, in such Manner, and at such Places (1) as are herein-after directed. And all Commanders, Masters, and other Persons on board any such Vessel or Boat so liable to Quarantine as aforesaid, and all Persons who shall have any Intercourse or Communication with them, or any of them, shall forthwith repair to such Lazaret, Vessel, or Place as is herein appointed or shall hereafter be appointed in that Behalf, by any Order of His Majesty in Council as aforesaid, or of the Lords and others of the Privy Council, or any Two or more of them, for the Performance of Quarantine, and shall there perform Quarantine accordingly, under and subject to all the Pains, Penalties, Fines, Forfeitures, and Punishments, as well Pains of Death as others, to which any such Commander, Master, or Person is or may be by Law subject for any Refusal or Neglect to repair to such Lazaret, Vessel, or Place as aforesaid, or for any Escape or Attempt to escape therefrom, or for any other Breach or Disobedience of the Provisions, Rules, and Regulations of the said herein-before recited Act, or of this Order, or of any Orders which may hereafter be made as aforesaid.

Places at which
Quarantine is
to be performed
by Vessels with
clean Bills of
Health.

Sect. 2. And it is hereby further ordered, That all such Vessels so coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, as shall arrive with clean Bills of Health as aforesaid, and all such Receiving Vessels and Boats as aforesaid, and all Persons, Goods, Wares, and Merchandizes, and other Articles on board the same, shall respectively perform Quarantine in the Places herein-after appointed, except in the Cases herein-after otherwise provided for, that is to say, all such Vessels so arriving as last aforesaid as are or shall be bound to the Ports of

London,

Rochester,

Faversham,

(1) See § 2.

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine in *Standgate Creek*. QUARANTINE.

Such of them as shall be bound to the Ports of

<i>Leigh,</i>	<i>Yarmouth,</i>	<i>Bridlington,</i>
<i>Malden,</i>	<i>Blackney and Clay,</i>	<i>Scarborough,</i>
<i>Colchester,</i>	<i>Wells,</i>	<i>Whitby,</i>
<i>Harwich,</i>	<i>Lynn,</i>	<i>Stockton,</i>
<i>Ipswich,</i>	<i>Wisbeach,</i>	<i>Sunderland,</i>
<i>Woodbridge,</i>	<i>Boston,</i>	<i>Newcastle,</i>
<i>Aldborough,</i>	<i>Grimsby,</i>	<i>Berwick,</i>
<i>Southwold,</i>	<i>Hull,</i>	

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine in *Whitebooth Roads*, between *Hull* and *Grimsby*.

Such of them as are or shall be bound to the Ports of

<i>Carlisle,</i>	<i>Preston,</i>	<i>Baumaris,</i>
<i>Whitehaven,</i>	<i>Liverpool,</i>	<i>Isle of Man,</i>
<i>Lancaster,</i>	<i>Chester,</i>	

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine at *Bromborough Pool*, or in *Milford Haven*.

Such of them as are or shall be bound to the Ports of

<i>Sandwich,</i>	<i>Newhaven,</i>	<i>Portsmouth,</i>
<i>Deal,</i>	<i>Shorcham,</i>	<i>Southampton,</i>
<i>Dover,</i>	<i>Arundel,</i>	<i>Cowes,</i>
<i>Rye,</i>	<i>Chichester,</i>	

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine at the *Motherbank*, near *Portsmouth*.

Such of them as are or shall be bound to the Ports of

<i>Poole,</i>	<i>Plymouth,</i>	<i>Penryn,</i>
<i>Weymouth,</i>	<i>Looe,</i>	<i>Truro,</i>
<i>Lyme,</i>	<i>Fowey,</i>	<i>Penzance,</i>
<i>Exeter,</i>	<i>Falmouth,</i>	<i>Scilly,</i>
<i>Dartmouth,</i>	<i>Gweek,</i>	

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine at *St. Just's Pool* within the Mouth of the Harbour of *Falmouth*.

Such of them as are or shall be bound to the Ports of

<i>Bridgewater,</i>	<i>Gloucester,</i>	<i>Swansea,</i>
<i>Minehead,</i>	<i>Chepstow,</i>	
<i>Bristol,</i>	<i>Cardiff,</i>	

and any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine at *King Road* and *Portshute Pill*.

Such of them as are or shall be bound to the Ports of

<i>St. Ives,</i>	<i>Ilfracombe,</i>	<i>Cardigan,</i>
<i>Padstow,</i>	<i>Llanelly,</i>	<i>Aberystwith,</i>
<i>Bideford,</i>	<i>Pembroke,</i>	
<i>Barnstaple,</i>	<i>Milford,</i>	

QUARANTINE. — or any Creeks or Places belonging to or within any or either of the above Ports, shall perform Quarantine at *Milford Haven* aforesaid. Such of them as are or shall be bound to the Islands of *Jersey*, *Guernsey*, *Sark*, or *Alderney*, or either of them, or any Part of them or either of them, shall perform Quarantine either at the *Motherbank* near *Portsmouth* aforesaid, or at *St. Just's Pool*, within the Mouth of the Harbour of *Falmouth*, aforesaid, being Places herein-before appointed for Performance of Quarantine.

Such of them as are or shall be bound to the Eastern Coast of *Scotland*, comprehending the Ports of

<i>Leith,</i>	<i>Kirkaldy,</i>	<i>Perth,</i>
<i>Borrowstoness,</i>	<i>Anstruther,</i>	<i>Montrose,</i>
<i>Alloa,</i>	<i>Prestonpans,</i>	and
<i>Dunbar,</i>	<i>Dundee,</i>	<i>Aberdeen,</i>

or to any Member, Creek, or other Place belonging to, or within any or either of the above Ports, shall perform Quarantine in *Inverkeithing Bay*.

Such of them as are or shall be bound to the Western Ports of *Scotland*, comprehending the Ports of

<i>Port Glasgow,</i>	<i>Oban,</i>	<i>Port Patrick,</i>
<i>Greenock,</i>	<i>Rothsay,</i>	<i>Stranraer,</i>
<i>Irvine,</i>	<i>Fort William,</i>	and
<i>Campbeltown,</i>	<i>Ayr,</i>	<i>Wigtown,</i>

or to any Member, Creek, or other Place belonging to or within any or either of the above Ports, shall perform Quarantine at *Holy Loch*, in the *Frith of Clyde*.

Such of them as are or shall be bound to the Northern Ports of *Scotland*, comprehending the Ports of

<i>Inverness,</i>	<i>Caithness,</i>
<i>Zealand,</i>	and
<i>Orkney,</i>	<i>Stornaway,</i>

or to any Member, Creek, or other Place belonging to or within any or either of the above Ports, shall perform Quarantine in *Cromarty Bay* (1), in the *Murray Frith*.

Such of them as are or shall be bound to the South-west Ports of *Scotland*, comprehending the Ports of

<i>Dumfries</i> and	<i>Kirkcudbright,</i>
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or to any Member, Creek, or other Place belonging to or within either of the above Ports, shall perform Quarantine at *Carsthorn* (2), at the Mouth of the River *Nith*.

Such of them as are or shall be bound to any Port in *Ireland*, between *Missen Head* and *Tuskard*, shall perform Quarantine in the Bay of *Baltimore*; such of them as are or

(1) See Order in Council, dated 30th September 1825, by which this Class of Vessels are to perform Quarantine at Inverkeithing.

(2) See same Order, by which this Class of Vessels are to perform Quarantine at Holy Loch.

shall be bound to any Port between *Tuskard* and *Rathlin* shall perform Quarantine in *Lough Larne* and the Bay of *Carlingford*; such of them as are or shall be bound for any Port between *Rathlin* and *Tory Island* shall perform Quarantine in *Ballymastoker Bay*, or *Red Castle Road*, near *Londonderry*; such of them as are or shall be bound for any Port between *Tory Island* and *Blacksod Bay* shall perform Quarantine in the Harbour of *Killybegs*; such of them as shall be bound for any Port between *Blacksod Bay* and *Loop Head* shall perform Quarantine in *Clew Bay*, otherwise called the Bay of *Burrishowle*; and lastly, such of them as shall be bound for any Port between *Loop Head* and *Missen Head* shall perform Quarantine in *Scattery Bay* in the River of *Limerick*.

QUARANTINE.

And lastly, such of them as are or shall be bound to any Place on the Coasts of the United Kingdom, not within any of the Ports or Limits herein-before mentioned or described, shall perform Quarantine at such Place herein-before appointed for Performance of Quarantine as shall be nearest to the Port or Place to which such Vessels respectively shall be so bound.

Sect. 3. And it is hereby further ordered, That all Goods, Wares, and Merchandizes imported in any such Vessels as aforesaid, shall be opened and aired, at the several Places herein-before respectively appointed for the Performance of Quarantine by such Vessels respectively, in the Manner and for the Time herein-after directed.

Goods, &c. to be aired.

Sect. 4. And it is hereby further ordered, That all Vessels not having the Plague or such other infectious Disease or Distemper as aforesaid actually on board (except any Ship of War, Transport, or other Vessel in the actual Service of Government, under the Command of a Commissioned Officer of His Majesty's Navy,) arriving in the United Kingdom, and coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, which shall not be furnished with Clean Bills of Health, shall perform Quarantine either in *Standgate Creek* or *Milford Haven*, and nowhere else. And in case any such Merchant or other Ship or Vessel as aforesaid, coming from any of the Places before described, and not furnished with a Clean Bill of Health, shall come or attempt to enter into any of the Outports of the United Kingdom, or any of the Islands aforesaid, the principal and other Officer of the Customs at such Port, or in such Islands, or the Governor or Chief Magistrate thereof, shall cause such Vessel to depart from thence immediately, and proceed to *Standgate Creek* or *Milford Haven*, to perform Quarantine; and all Ships of War, Transports, and other Vessels in the actual Service of Government, under the Command of Commissioned Officers of His Majesty's Navy, coming from

Places at which Quarantine is to be performed by Vessels without clean Bills of Health.

QUARANTINE.

any of the said Places, and not being furnished with Clean Bills of Health, shall perform Quarantine at the *Motherbank*, in a separate and distinct Place, to be appointed and marked out with Yellow Buoys for that Purpose, in the Centre of which Place a floating Lazaret, moored with Chains, shall be stationed, with a Yellow Flag constantly flying at the Mast-head; and all Vessels and Boats receiving any Person, Goods, Wares, or Merchandize, Packets, Packages, Wearing Apparel, Books, Letters, or any other Articles whatever, from or out of any Vessel so coming from any of the said Places without Clean Bills of Health as aforesaid, shall perform the like Quarantine at *Milford Haven*, *Standgate Creek*, or at the *Motherbank* respectively, in the same Manner as if such receiving Vessels or Boats had come from any of the said Places without Clean Bills of Health.

No Boats to go within the Limits marked out.

And no Persons, Vessels, or Boats whatsoever, other than the Vessels or Boats belonging to the Medical Attendant or Superintendent of Quarantine, or his Assistant, or other Boats regularly employed under the Authority of the Commissioners of the Customs in the Quarantine Service, shall go, under any Pretence whatever, within the Limits so marked out, except in Cases of special Necessity and Emergency, and with Permission first had and obtained from the Superintendent of Quarantine or his Assistant; and all Vessels being furnished with Clean Bills of Health, and Boats liable to Quarantine which may be ordered to perform Quarantine at the *Motherbank*, shall come to an Anchor within the Limits of the said Yellow Buoys in such Place as shall be directed by the Superintendent of Quarantine or his Assistant, and shall be kept separate and apart from His Majesty's Ships of War, Transports, and Vessels in the Service of Government, and having Foul Bills of Health, which may be performing Quarantine within the Limits marked out by the said Yellow Buoys.

Vessels from Europe or America with enumerated Goods liable to same Quarantine as Vessels from the Mediterranean.

Sect. 5. And it is hereby further ordered, That all Vessels coming from any Port or Place in *Europe*, without the Straits, or on the Continent of *America*, at which there is not a regular Establishment for the Performance of Quarantine declared sufficient by His Majesty in Council as aforesaid, and having on board any of the Articles herein-after enumerated (1) being the Growth, Produce, or Manufacture of *Turkey*, or of any Place in *Africa* within the *Straits of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, and all Vessels and Boats receiving any of the said Goods, Wares, or Merchandize, or other Articles as aforesaid, from or out of the said Vessels, shall, together with all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and all Articles on board thereof,

perform the same Quarantine, for such Time, in such Manner, and at such Places respectively as is herein directed with respect to Vessels coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, with Clean Bills of Health.

QUARANTINE.

Sect. 6. Provided always, That in case it shall happen that any Vessel being liable to Quarantine, and having a Clean Bill of Health on board, and bound to any of the Ports or Places aforesaid, shall have passed the Port or Place hereby appointed for such Vessel to perform Quarantine, either from the Commander or Master being ignorant of his Liability to perform the same, or from the said Vessel having been carried past the said Port or Place by Stress of Weather, or any other unavoidable Circumstance, the said Commander or Master, upon Proof thereof being made by the Oath of such Commander or Master, and likewise of the Pilot (if any on board), to the Satisfaction of the Superintendent of Quarantine or his Assistant, or of the principal or other Officer of the Customs authorized to act in that Behalf, and that the said passing such Port or Place was not done intentionally, and with a view of evading the Regulations of Quarantine, may be permitted to proceed and repair to any other Port or Place appointed for the Performance of Quarantine, in the Discretion of such Superintendent or his Assistant or the principal or other Officer of the Customs authorized as aforesaid, keeping the proper Quarantine Signal hoisted during the whole Time; and such Commander or Master shall there perform Quarantine with such Vessel, and all Persons, Goods, Wares, and Merchandizes, and other Articles on board, in the same Manner as if he had been bound to such Port or Place.

Vessels passing their regular Quarantine Station may, in certain Cases, perform Quarantine at some other Station.

Sect. 7. And it is hereby further ordered, That no Vessel liable to Quarantine, not bound to any Port or Place in the United Kingdom or the Islands aforesaid, shall touch at or attempt to enter any Port or Place in the United Kingdom, or the Islands aforesaid (whether such Port or Place shall have been appointed for the Performance of Quarantine or not), except for Orders, or in consequence of Stress of Weather, or any Damage, Loss, or Accidents of the Seas, the Circumstances and Necessity of which shall be proved upon Oath as aforesaid to the Satisfaction of the Superintendent of Quarantine or his Assistant, or of the principal or other Officer of the Customs authorized to act in that Behalf, and that the Commanders and Masters of all such Vessels, by whom and with respect to which such satisfactory Proof shall have been made as aforesaid, shall be examined by such Superintendent or his Assistant, or the principal or other Officer of the Customs, and shall give true Answers upon Oath to the preliminary Quarantine Questions herein-after directed to be put to the Commanders and Masters

Vessels liable to Quarantine not bound to the United Kingdom not to enter any Port except for Orders or under Stress of Weather.

QUARANTINE.

of all Vessels liable to perform Quarantine, and shall likewise strictly conform in all respects to all such Directions as they shall receive from such Superintendent or his Assistant, or the principal or other Officer of the Customs as aforesaid, as well with respect to their Stay or Continuance at such Port, and their Departure from thence, and repairing to any other Port or Place for that Purpose, as also with respect to all other Orders, Regulations, and Restrictions touching or concerning Quarantine; and in default of making such satisfactory Proof, or giving true Answers to such Questions, or of obeying and complying with such Directions, Orders, Regulations, and Restrictions as aforesaid, the said Commanders, Masters, or other Persons having the Charge of such Vessels shall be compelled forthwith to proceed to Sea with such Vessels; and the said Superintendent or his Assistant, or the principal or other Officer of the Customs, shall use all necessary Means for that Purpose, calling to his Aid the Commanders or other Officers of any of His Majesty's Ships of War, if their Assistance shall appear to be necessary.

Preliminary
Questions to be
put to Masters
of Vessels enter-
ing any Port.

Sect. 8. And it is hereby further ordered, That where any Vessel shall attempt to enter into any Port or Place in the United Kingdom or the Islands aforesaid, whether such Port or Place shall have been appointed for the Performance of Quarantine or not, the Superintendent of Quarantine or his Assistant (if there shall be such Superintendent or Assistant at such Port or Place), or if not the principal Officer of His Majesty's Customs at such Port or Place, or such Officer of the Customs as shall be authorized by the Commissioners of the Customs, or any Four or more of them, to act in that Behalf, shall go off to such Vessel, and shall, at a convenient Distance from such Ship or Vessel, keeping to Windward, demand of the Commander, Master, or other Person having charge of such Vessel Answers to the following preliminary Questions:

1st. What is the Name of the Vessel, and the Name of the Commander or Master?

2d. Are you the Commander or Master? Where does she belong?

3d. From whence do you come?

4th. To what Place are you bound?

5th. At what Ports have you touched since you left the Port of your Lading on your homeward Voyage?

6th. What Vessels have you had Intercourse or Communication with on your Passage, and from whence did they come?

7th. Did the Plague or any other infectious Disease or Distemper prevail in any Degree at the Place from whence you sailed on your homeward Voyage, or at any of the Places

at which you have touched? If at any, say at which, and when? Are any Persons on board your Ship suffering under any infectious Disease, or have any Persons died or been ill of a Disease of that Nature in the homeward Passage? And if any, what Number? And if any have died or been ill of such Disease, were their Bedding and Clothes destroyed?

(If the Vessel shall have sailed from any Port or Place in Europe, without the Straits, or on the Continent of America.)

8th. Have you on board any Goods enumerated in this List?

(Handing up a List of Articles enumerated.) If you have specify the same, and whether they are of the Growth, Produce, or Manufacture of *Turkey*, or of any Place in *Africa* within the *Straits of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, or of what other Place? Have you any Declaration to prove of what Place they are the Growth, Produce, or Manufacture?

(If the Vessel comes from the Mediterranean, or from any other Place respecting which there is any Order in Council in force concerning Quarantine.)

9th. Have you any, and what Bill of Health?

10th. What Number of Officers, Mariners, and Passengers have you on board?

(And in Cases of Vessels coming from or having touched at any Port or Place on the Continent of America, or the Islands adjacent thereto, or coming from or having touched at any Ports in the West Indies, the following Questions are to be put in addition to the aforesaid Questions):

11th. In the course of your Voyage have any Persons on board suffered from Sickness of any Kind? What was the Nature of such Sickness, and when did it prevail? How many Persons were affected by it, and have any of them died in the course of the Voyage?

12th. How long after sailing from your Port of Lading, or having touched at any Port on the Continent of *America*, or the Islands adjacent thereto, or any of the Ports in the *West Indies*, was the first Appearance of Disease observed?

13th. How had the Persons attacked been employed before they came on board?

14th. Had they been employed in loading or unloading the Vessel before she left the Port?

15th. Had the Place which they inhabited before they sailed the Reputation of being healthy, or was it subject particularly to the Fever incident to the Country?

16th. Had the Fever been frequent in the Place before the Vessel sailed?

17th. Did the Persons who were ill on board your Vessel fall sick nearly about the same Time, or within a few Days of

QUARANTINE.

each other; or did the Disorder spread successively from one to another, and increase considerably; or did it abate gradually and cease to multiply as the Distance from the Ports you sailed from or touched at as aforesaid increased?

18th. What was the greatest Number of Persons ill at the most sickly Period of your Voyage?

19th. What were the whole Number of Persons on board your Vessel when you sailed?

20th. What is the whole Number of Persons now ill on board your Vessel?

21st. Can you state what were the Symptoms of Illness with which your Crew were first attacked, and what was the daily Succession and Change in them till their Death?

22d. Whether any, and what Medicines have been used, and what Methods have been adopted to prevent its spreading among the Crew?

23d. Whether Attention has been paid to Cleanliness and Ventilation on board your Vessel?

24th. When did you sail from the Port or Place from whence you took on board your outward Cargo, and at what Place did you touch before you arrived at the Port or Place where you took in your present Cargo?

25th. Did you carry any Bill of Health with you to the Port or Place where you took in the Cargo you have now on board? From what Place? Were the said Bills of Health clean, unclean, or suspected?

Master of Vessel to answer such Questions.

And such Commander, Master, or other Person having Charge of such Vessel shall, upon such Demand, give a true Answer to such Questions in Writing or otherwise, and upon Oath, or not upon Oath, according as he shall be required by such Superintendent or his Assistant, or principal Officer or other Officer of the Customs authorized as aforesaid, under such Pains and Penalties as are inflicted by the said herein-before recited Act. (1)

If Vessel liable to Quarantine she is to repair to the proper Station.

And if it shall appear by the Answers so given to the said Questions that the said Vessel is liable to Quarantine, the said Commander, Master, or other Person having the Charge or Command thereof shall be directed to repair, and shall repair forthwith, with such Vessel to the proper Place appointed in that Behalf for the Performance of Quarantine, and shall not be permitted to remain in or enter into any Port or Place, other than the Port or Place so appointed as aforesaid, unless compelled by Stress of Weather, Damage, Loss, or other Injury unavoidably occasioned to the Vessel by the Perils of the Seas; which Stress of Weather, Damage, Loss, or other Injury, and that the said Damage, Loss, or other Injury was

unavoidable and not wilfully or intentionally done or occasioned, shall be made appear by the Oath and Examination of such Commander or Master, and of the Pilot (if any) on board, to the Satisfaction of the Superintendent or his Assistant, or of the principal or other Officer of the Customs authorized as aforesaid, at the Port or Place in which he shall be so detained, or into which he shall be so compelled to enter as aforesaid; in default of which satisfactory Proof, or when the cause of such Vessel so coming in as aforesaid shall no longer exist, such Superintendent, Assistant, principal or other Officer of the Customs authorized as aforesaid, shall direct, and (if necessary) compel such Vessel to repair to the proper Place appointed in that Behalf for the Performance of Quarantine, and shall use all necessary Means for that Purpose.

Sect. 9. And it is hereby further ordered, That on the Arrival of any Vessel liable to Quarantine, in any Port or Place hereby appointed for the Performance of Quarantine, the Superintendent of Quarantine or his Assistant, or, in case of such Superintendent and his Assistant being otherwise necessarily engaged, the principal Officer of His Majesty's Customs at such Port or Place, or such Officer of the Customs as shall be duly authorized to act in that Behalf (together with the Medical Attendant in such Cases as shall be thought to require his Assistance), shall go alongside such Vessel in a Boat (keeping to Windward), and shall see the Officers, Crew, and all other Persons belonging to or being on board such Vessel mustered on the Gangway, and the Superintendent of Quarantine or his Assistant, or such principal or other Officer of the Customs authorized as aforesaid, shall then and there, in the Presence of the Crew, put the following Questions to the Commander, Master, or other Person having Charge of the Vessel:

Questions to be
put on Arrival
at Quarantine
Station.

1st. What is the Name of the Vessel, and the Name of her Commander or Master?

2d. Are you the Commander or Master?

3d. To what Port or Place does she belong?

4th. When did you sail from the Port or Place from whence you took on board your outward Cargo, and at what Places did you touch before you arrived at the Port or Place where you took in your present Cargo?

5th. Did you carry any Bill or Bills of Health with you to the Port or Place where you took in the Cargo you have now on board? From what Places? Were the said Bills of Health clean, unclean, or suspected?

6th. From what Port or Place does she now come? When did you sail from such Port or Place, and at what Place or Places have you touched in the course of the Voyage?

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7th. Have you any Bill or Bills of Health on board? From what Place or Places? Are the same clean, unclean, or suspected? Produce them.

(If the Vessel shall have sailed from any Port or Place in Europe without the Straits, or on the Continent of America.)

8th. Of what Articles does your Cargo consist? Have you on board any Goods enumerated in this List?

(Handing up a List of Articles enumerated.)

If you have, specify the same, and whether they are of the Growth, Produce, or Manufacture of *Turkey*, or of any place in *Africa* within the *Straits of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, or of what other Place? Have you any Declaration to prove of what Place they are the Growth, Produce, or Manufacture?

9th. At what Place or Places was the Cargo, or any Part thereof, taken on board? On what Day did you arrive at the Place or Places where you took in the whole, or any and what Part of the Cargo? And on what Day did you sail from such Place or Places, and what Part of your Cargo was taken in at each Place, and when?

10th. Did the Plague or any other infectious Disease or Distemper prevail in any Degree at the Places from whence you sailed, or at any of the Places at which your Cargo was taken on board, or at which you touched? If at any, say at which, and when?

11th. Did you hear of any Report, or are you aware of any Suspicion having existed at the Time of your sailing, that the Plague or any other infectious Disease prevailed at the Place from whence you sailed, or at any other Place in the *Mediterranean* (or in *America*, or the *West Indies*, as the Case may be)?

12th. What Number of Officers, Mariners, Passengers, or other Persons have you on board? Describe the Number of each.

13th. At what Port did you take on board your Passengers?

14th. Were they Residents at that Place, or had they been embarked as Passengers on board any other Vessel from any other Places, and from what Places, and at what Time?

15th. Do the said Officers, Mariners, Passengers, and other Persons consist of the same Individuals as were on board at the Port from which you sailed upon your Homeward Voyage? If any other Persons have been taken on board, or if any of your Officers, Crew, or Passengers have quitted your Vessel since you sailed from such Port, or before your Arrival at this Place, or if any other Alterations in that respect have taken place, specify the same, the Causes, and the Time or Times of such Alterations.

16th. What Number of Persons (if any) have died on board during the Voyage Outwards or Homewards, or at any Port at

which you have touched? When and in what Part of the Voyage did such Person or Persons die? Of what Disease or Distemper?

17th. Have any of your Officers, Mariners, or other Persons of your Crew who sailed with you on your Outward Voyage died or left the Vessel?

18th. In the course of your Voyage Outward or Homeward, or at any Port at which you have touched, have any Persons on board suffered from Sickness of any Kind? What was the Nature of such Sickness? When did it prevail? How many Persons were affected by it? Are there any Convalescents on board? Or are all Persons on board at present in good Health?

19th. Were any of those who died, or who have been sick in the course of the Voyage, or at any Port at which you have touched, affected, or suspected to have been affected, by any infectious Disease or Distemper?

Were the Bedding and Clothes of such deceased and sick Persons destroyed? If so, when and in what Manner? Were any of the Persons immediately employed about the Sick afterwards taken ill? If so, of what Disease, and in how many Days after having been so employed?

20th. At what precise Time did such Deaths happen? In how many Days after being indisposed did the Sick die? What were the most obvious Appearances of the Disease?

21st. Have you spoken to or otherwise had any Communication with any Vessels at Sea during the Voyage? What were the Names of such Vessels, and to what Country, Port, or Place did they belong? From what Ports or Places were they coming, or at what Ports or Places had they touched on their Voyage, and to what Country, Ports, or Places were they bound? What was the Nature of the Communication held? What do you know respecting the State of Health on board such Vessel?

22d. Have there been any Letters, Parcels, or other Articles delivered out of or received into your Vessel from any Vessel or Boat met with on the Voyage, or before or since your Arrival at this Place, and what were such Letters, Parcels, or Articles, and where were the same delivered or received, and into or out of what Vessel or Boat?

23d. Have you any Packages or Parcels which you have taken charge of? If so, what are their Contents, and when and where did you take them on board?

24th. What Pilots or other Persons from the Shores of the United Kingdom, or from the Islands of *Scilly*, *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, have been or are now on board your Vessel, or have had any Communication whatever with the Ship's Company, or any of the Passengers during the Voyage Homewards, or before or since your Arrival at this Place? If any such Pilots or other Persons have come on

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board, and have afterwards quitted your Vessel, specify the Names of such Persons, and the Time, Manner, and Circumstances of their so quitting your Vessel?

25th. Did you leave any *British* Vessels at any of the Ports you sailed from? If you did, mention their Names and the Names of the Commanders?

26th. Were such Vessels loading, were they near their Departure, and whither were they bound?

27th. Did you meet with any *British* Vessels at any of the Places you touched at? If you did, say when, where, and what were the Names and Destinations of such Vessels, and to what Ports or Places did they belong?

28th. Do you know whether any Foreign Vessels, loading at the Port from which you sailed, were bound beyond the *Straits of Gibraltar*? and if so, what were they, and whither were they bound?

29th. Do you know whether any Person whatever employed in loading your Vessel, or in bringing any Articles into it, or having any Communication on board thereof, was taken ill during such Employment or Communication? or whether, by the Absence of such Person or Persons in the course of such Employment, any Suspicion was entertained of their having been taken ill? If so, of what Disease?

30th. Do you know whether or not your Cargo, or any Part thereof, had been long in Warehouse before its been taken on board? If you do, say how long. Have you any Knowledge of its being packed or handled on Shore, or conveyed from Shore, or stowed on board by Persons affected with the Plague, or any other infectious Disease or Distemper?

Master to make
Oath to the
Truth of his
Answers;

Sect. 10. And it is further ordered, That the Answers to the aforesaid Questions shall be taken down in Writing, and the Commander, Master, or other Person having the Charge of such Vessel shall solemnly make Oath to the Truth thereof before the Superintendent of Quarantine or his Assistant, or the principal or other Officer of the Customs authorized as aforesaid (as the Case may be), and such Superintendent of Quarantine or his Assistant, or such principal or other Officer of the Customs as aforesaid (with the Advice of the Medical Attendant, if such Advice shall be judged necessary), shall, according to the Answers returned to the Questions hereinbefore set forth, then appoint a proper Place or Station for such Commander, Master, or other Person having the Charge of such Vessel to repair to with such Vessel, who thereupon shall, as soon as possible, after having answered the foregoing Questions, repair with such Vessel to such Place or Station where the said Vessel shall be forthwith placed, and shall there perform Quarantine accordingly; the said Commander or Master or other Person having the Charge of such Vessel carrying with him the Log Book, Manifest, and all the Ship's

to deliver Log
Book, &c. to
Superintendent
of Quarantine;

Papers, all of which he shall there deliver to the Superintendent of Quarantine or his Assistant, or to the principal or other Officer of the Customs authorized as aforesaid (as the Case may be), the said Log Book, Manifest, and Papers having been first immersed in Vinegar and fumigated; and such Commander, Master, or other Person having the Charge of such Vessel, shall there solemnly make Oath to the Truth of the Contents of such Log Book, to the best of his Recollection and Belief, or shall state and specify upon Oath in what Particulars alone the same, or any Part thereof, is false and incorrect, and whether every particular Entry therein was made as soon after the Fact as possible; and if not, for what Reason it was delayed, and when it was made; and also to the Truth of all the other Ship's Papers, before such Superintendent or his Assistant, or the principal or other Officer of the Customs authorized as aforesaid, and shall obey and conform to all such Directions as he shall then receive, touching the Performance of Quarantine, from such Superintendent or his Assistant, or the principal or other Officer of the Customs authorized as aforesaid.

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to make Oath
to the Truth
of Log Book.

Sect. 11. And it is hereby further ordered, That in the Case of Vessels liable to Quarantine arriving at any of the Ports of the United Kingdom or Islands aforesaid, if any suspicious Circumstances shall appear in the Answers returned to the said Questions by the Commander or Master, or other Person having Charge of any such Vessel, or from any other Circumstance, the proper Officer of the Customs at such Port or Island shall immediately transmit such Answers, and give Notice of the Cause of such Suspicion to the Lords of His Majesty's Most Honourable Privy Council, and the Commissioners of His Majesty's Customs, and shall, without regard to the Bill of Health, whether clean or otherwise, order such Vessel to a Station distant from all other Vessels in the same Port or Place, and put her under special Guard, in order the more effectually to prevent all Communication therewith.

If suspicious
Circumstances
appear in the
Answers, the
Quarantine Of-
ficers to trans-
mit them to the
Privy Council,
and the Vessel
to be put under
special Guard.

Sect. 12. And it is hereby further ordered, That all Vessels liable to Quarantine as aforesaid, and being furnished with Clean Bills of Health, as well as the Crews and Passengers on board the same, shall perform a Quarantine of Fifteen Days, in the Manner heretofore practised, which Quarantine shall commence from the Time when such Part of the Cargo, if any, as is herein-after enumerated, shall have been delivered into a floating Lazaret in *Standgate Creek* or *Milford Haven*, in case the Ship or Vessel shall perform Quarantine in *Standgate Creek* or *Milford Haven*, or into the Lighters, or other proper Vessels appointed for that Purpose, in case the Vessel shall perform Quarantine at any of the Places herein-before appointed for the Performance thereof by Vessels bound to any of the

Time of Qua-
rantine to be
15 Days.

QUARANTINE.
—
Day of Commencement.

Out-ports or Islands aforesaid; but in Cases where no Part of the Cargo shall consist of such enumerated Goods, then such Quarantine of Fifteen Days shall commence on the Day on which the Master or other Person having Charge of such Vessel shall have arrived with such Vessel at the Station so appointed as aforesaid.

Goods from the Mediterranean, &c. not enumerated to be aired on board.

Sect. 13. And it is hereby further ordered, with respect to all Goods, Wares, and Merchandizes coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, in Vessels furnished with Clean Bills of Health, That all such Goods, Wares, and Merchandizes, other than such as are herein-after enumerated (1), shall be aired and treated on board the Vessel in which they shall arrive according to the Manner heretofore practised respecting such Goods imported in Vessels furnished with Clean Bills of Health, and shall continue to be so treated for and during the Space of One Week; and all such Goods, Wares, and Merchandizes as are herein-after enumerated, so coming in Vessels with Clean Bills of Health, shall be removed from the Vessel to the Place appointed for that Purpose, and shall be aired and treated in the Manner heretofore practised with regard to such Goods, Wares, and Merchandizes, and shall continue to be so treated for and during the Space of Fifteen Days.

Enumerated Goods to be removed for airing to the Place appointed.

Goods in Vessels from the Mediterranean, &c. not with Clean Bills of Health to perform Quarantine in a Lazaret at Milford Haven or Standgate Creek.

Sect. 14. And it is hereby further ordered, with respect to all Goods, Wares, and Merchandizes, and other Articles as aforesaid, brought or imported in Vessels not having the Plague or other infectious Disease or Distemper as aforesaid actually on board, and which may arrive in any of the Ports of the United Kingdom or the Islands aforesaid, coming from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, not being furnished with Clean Bills of Health, That such Goods, Wares, and Merchandize, and other Articles as aforesaid (such Vessel having first repaired to *Standgate Creek* or *Milford Haven* as herein-before directed), shall perform Quarantine in a floating Lazaret, either at *Standgate Creek* or *Milford Haven*, and nowhere else, in the Manner and for the Time herein-after mentioned.

Quarantine Guardians to be placed on board infectious Vessels.

Sect. 15. And it is hereby further ordered, That immediately after the Commander, Master, or other Person having Charge of every such Vessel so arriving with a Foul Bill of Health, or on board of which Infection shall have appeared, shall have undergone the Examination herein-before directed, and shall have arrived with his Vessel at the Station so appointed as aforesaid, Two Quarantine Guardians shall be placed on board

(1) See § 31.

such Vessel by the Superintendent of Quarantine or his Assistant. QUARANTINE.

Sect. 16. And it is hereby further ordered, That all Persons on board any Vessel under Quarantine may be permitted to have Communication with others by Letters, under the following Regulations and Restrictions, viz., Letters, Regulations for Communication by.

An Officer appointed by the Superintendent of Quarantine shall daily, at a fixed Hour, go round the different Lazarets and Vessels in Quarantine to receive Letters, the usual Precaution of dipping such Letters in Vinegar, and putting them into the fumigating Box, being always first observed; and such Letters shall remain in the fumigating Box until such Time as the Superintendent shall give Directions for taking them out to be forwarded, and no Person, except the said Superintendent of Quarantine or his Assistant, or one of the Guardians on board the Vessel, shall be permitted to deliver such Letters from such fumigating Box; and the said Persons so hereby authorized to deliver the same shall take care, where several Letters or Papers are inclosed together, to slit open the Covers in manner practised in the Lazarets of the *Mediterranean*. And all Letters to such Persons so under Quarantine shall be delivered to the Superintendent or his Assistant, and shall be distributed by him, or according to his Directions; and no Communication or Conference shall be had by Persons not under Quarantine with Persons so under Quarantine, except by Permission, or in the Presence of the Superintendent or his Assistant, and under such Regulations and Restrictions as shall be directed by the said Superintendent.

No Communication to be had with Parties under Quarantine except in Presence of the Superintendent.

Provided always, that the Medical Attendant and Superintendent or his Assistant, or any other Person duly authorized by an Order in Council, may go on board any Vessel under Quarantine without such Medical Attendant or Superintendent, or his Assistant, being in any way subject to the Restraint of Quarantine.

Sect. 17. And it is hereby further ordered, That a Night Watch shall be regularly kept, and a sufficient Number of Guard Boats and Officers shall be appointed, for the Purpose of preventing all clandestine Communications with Persons under Quarantine; and all the Boats belonging to Vessels under Quarantine, either at *Standgate Creek*, *Milford Haven*, or at the other Out-ports, shall be taken from them, and no Use made of such Boats, except for the Purpose of carrying Goods to the Lazaret, or, upon Occasions of Necessity, such Necessity to be determined by the Superintendent of Quarantine, and such Boats shall not be delivered up to the Commanders or Masters of such Vessels until the Expiration of the Quarantine to be respectively performed by them.

Night Watch to be kept.

Boats to be taken away.

QUARANTINE.
 —
 Superintendent
 to provide
 Necessaries.

Sect. 18. And it is hereby further ordered, That the Superintendent of Quarantine or his Assistant, or some other proper Person appointed by the Superintendent, shall, as often as required, afford Assistance and provide Necessaries for the Persons under Quarantine, taking care to allow of no improper Communication with the Persons employed for that Purpose, which Persons shall always place their Boats to Windward, and shall deliver, by means of Buckets, the Articles supplied by them.

Guardians to
 take care that
 nothing is
 delivered from
 Quarantine
 Vessels without
 a written Order;

Sect. 19. And it is hereby further ordered, That the Quarantine Guardians who shall be placed on board Vessels shall be instructed to take especial Care that nothing whatever be delivered from on board such Vessels when under Quarantine without an Order in Writing from the Superintendent or his Assistant, every such Order to be entered in a Book by one of the said Guardians, and the Original to be delivered back to the Superintendent or his Assistant; and nothing, however little susceptible it may be thought to be of Infection, shall be conveyed from one Vessel under Quarantine to another, nor any personal Intercourse be permitted from any such Vessel to another; and One of the Quarantine Guardians, when thereto required by the Superintendent of Quarantine or his Assistant, shall accompany the Lighters and Boats which shall be employed in passing to or from the Vessel on board of which such Guardians are placed, during the Passage of such Lighters and Boats to and from such Vessel, in order to prevent any Communication in the Transit of the Cargo from the Vessel to any floating Lazaret, and shall take care, after every Removal of Goods, that no Remnants of Cotton, or of any other enumerated Article, remain in the Lighters or the Boats, but shall, before leaving off work, collect and deliver such Remnants into the Lazaret with the last Package which they shall then carry from the said Vessel.

to take care
 that Holds and
 Decks are
 swept;

Sect. 20. And it is hereby further ordered, That the said Guardians shall take care that, after the Discharge of the Cargoes into the Lazaret, the Holds and between Decks of the Vessels shall be completely swept, and the Sweepings burnt.

to search Chests,
 &c. that no
 enumerated
 Article be not
 delivered to the
 Lazaret;

Sect. 21. And it is hereby further ordered, That the said Guardians shall diligently search the Lockers, Chests, and other Repositories of the Officers, Passengers, and Crews, and every Part of the Vessels, so that no Article so enumerated, nor any Matter or Thing considered as susceptible of Infection, remain undelivered to the Lazaret, unless what shall be declared by the said Superintendent or Medical Attendant to be requisite for daily Use, and shall see that all the said Chests, Lockers, and other Repositories, and all the Clothes and Bedding in the

Vessel be daily opened and aired, in such Manner as shall be directed by the Superintendent of Quarantine.

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Sect. 22. And it is hereby further ordered, That One of the said Guardians shall make a daily Report to the Superintendent of Quarantine or his Assistant, and to the Medical Attendant, of the State of Health of every Person on board, and whether the Regulations of Quarantine have been properly complied with; and in case any Impediment shall occur in the Execution of the Duties required of the said Guardians they shall give Notice immediately to the Commander, Master, or other Person having Charge of the Vessel, in the first instance, and if thereupon such Impediment be not instantly removed they shall then give Notice thereof to the Superintendent of Quarantine, or his Assistant, who shall take care to use effectual Means for the Removal of the same.

to report daily
as to Health.

to give Notice
of Impediments
to the Master.

Sect. 23. And it is hereby further ordered, That if any Person on board shall fall sick, and any Medical Person shall be on board the Vessel, such Medical Person shall confer with the Medical Attendant alongside the Vessel, the Medical Attendant keeping to Windward at a Distance of not less than Ten Feet; and in case there shall be no Medical Person on board, and it shall be necessary for the Medical Attendant to inspect the Sick, the Visits shall be made at the Ship's Boat by the Medical Attendant in his own Boat, keeping to Windward at the like Distance of not less than Ten Feet; and if any Patient, after being examined in the Manner before mentioned, shall be found to require such medical or chirurgical Aid as cannot properly be administered except in the Hospital Ship he shall be removed to such Hospital Ship.

If Person on
board sick, Steps
to be taken by
the Medical
Attendant.

Sect. 24. And it is hereby further ordered, That in case any pestilential Disorder shall actually discover itself on board any Vessel, or among any of the Persons under Quarantine, the Person or Persons affected with such Disorder shall be removed, with all possible Care and Despatch, under the special Direction of the Superintendent of Quarantine and Medical Attendant, to the Hospital Ship, and proper Attendants shall be assigned to such Patient or Patients by the Superintendent of Quarantine, with the Advice of the Medical Assistant; and such Patient or Patients shall be visited at a due Distance by the said Medical Attendant; and in case nearer Approach shall be required, some Persons shall be specially appointed by the Medical Attendant for that Purpose.

Persons infected
to be removed
to Hospital
Ship.

Sect. 25. And it is hereby further ordered, That the Passengers and Crew of any Vessel under Quarantine may have the Assistance of any Medical Persons they may desire from the Shore, subject to the official Visits of the Medical Attendant,

Passengers and
Crew may have
Medical Assist-
ance from the
Shore.

QUARANTINE.

and to such Regulations and Restrictions as the Superintendent of Quarantine, with the Advice of such Medical Attendant, shall judge necessary ; but all such Medical Persons, as well as all others, if they communicate by contact with the Sick, shall perform the same Quarantine as the sick Persons themselves.

Pilots how to be dealt with.

Sect. 26. And it is hereby further ordered, That after the Quarantine Guardians shall have been placed on board any Vessel the Pilot may quit such Vessel, and be removed to the Hospital Ship, and continue under Quarantine until the probationary Airing of the Goods, Wares, and Merchandizes as herein-after directed shall be finished ; and at the Expiration of such probationary Airing such Pilot, if he continue free from Infection, shall be fumigated and discharged from Quarantine : Provided always, that during the Performance of such Quarantine such Pilot shall not have Communication with any other Person, except under similar Restrictions to those herein directed with regard to other Persons under Quarantine.

If Pestilence appear Quarantine to recommence.

Sect. 27. Provided always, That in case any pestilential Accident shall occur among the Crew, Passengers, or other Persons on board any Vessel during the probationary Airing of the Goods, at whatever Stage of the Quarantine such Accident may happen, the Quarantine of all the Crew, Passengers, and other Persons, and of the Pilot (if there shall be a Pilot at that Time liable to Quarantine, in respect of his having been on board such Vessel), as well as of the Goods, Wares, and Merchandizes, shall recommence, and the sick Persons shall be sent to the Hospital Ship, the external Guard shall be immediately doubled, and Notice of such Accident shall be given, with all possible Despatch, to the Lords of His Majesty's Privy Council, that they may give such Orders thereupon as may appear to them to be necessary.

Vessels with Plague on board how to act.

Sect. 28. And for the better guarding against the Introduction of the Plague into the United Kingdom, it is hereby ordered, That in the event of the Plague actually appearing on board any Vessel on her Voyage to any Port in the United Kingdom she shall immediately, if to the Southward of *Cape St. Vincent*, repair to some Lazaretto in the *Mediterranean*, there to perform Quarantine, and if to the Northward of *Cape St. Vincent* she shall immediately repair to *Milford Haven*, there to perform Quarantine.

Baggage, &c. of infectious Vessels to be sent to the Lazaret.

Sect. 29. And it is hereby further ordered, That the Baggage, Wearing Apparel, Books, and every other Article belonging to any other Person on board any Vessel arriving as above mentioned with a Foul Bill of Health, or on board of which Infection shall have appeared, for which they shall have no immediate Occasion, shall be sent to the Lazaret for the Purpose of being

aired in like Manner as other Goods of the same Description ; and before any of the Passengers or Crew shall be discharged from Quarantine they, their Clothes, and other Effects which have remained with them shall be fumigated.

QUARANTINE.

Sect. 30. And it is hereby further ordered, That immediately after the Pilot and such of the Passengers and Crew of the Vessels so arriving with Foul Bills of Health as may be permitted or directed to perform Quarantine as herein-before mentioned shall have quitted the Vessel in which they shall have arrived, the Hatches of such Vessel shall be opened, and the probationary Airing of the Cargo shall commence, which probationary Airing shall be in the following Manner ; viz.

Probationary
Airing.

Such a Number of Bales of the enumerated Goods, Wares, and Merchandizes herein-after stated as can be ranged upon Deck shall be taken from the Hold, and the Seams at one or both Ends being ripped open, the Contents shall be handled as much as possible by the Sailors in Presence of One of the Guardians, and under this Process of handling and turning such Bales shall remain exposed to the Air for Six Days, and on the subsequent Day shall be put into a Condition to be, and shall accordingly be, delivered to the Lighter appointed to transport them to the floating Lazaret, and as soon as the Deck is cleared of the First Parcel of Goods, a Second Parcel shall be hoisted up, and treated in like Manner for the Space of Three Days, and on the subsequent Day shall in like Manner be put into such Condition, and shall be so delivered as aforesaid ; after which a Third Parcel shall be hoisted up and treated in the same Manner also for the Space of Three Days, and on the subsequent Day shall in like Manner be put into such Condition, and shall be so delivered ; but in case of any suspicious Circumstances arising the probationary Airings shall be extended to Eight, Six, and Four Days, making, with the Three intermediate Days, Twenty-one Days in the whole, or even to a greater Length of Time, if Circumstances shall require.

Sect. 31. And it is hereby further ordered, That if the Goods, Wares, and Merchandizes, which shall arrive in Vessels with Foul Bills of Health, the Articles herein-after enumerated shall be carried to a floating Lazaret in *Standgate Creek*, or at *Milford Haven*, there to be unpacked, opened, and aired, for the Space of Forty Days ; viz.

Enumerated
Goods in Ves-
sels with Foul
Bills of Health
how to be dealt
with.

Apparel of all Kinds.	Bed Ticks.
Artificial Flowers.	Books.
Bast, or any Article made thereof.	Brooms of all Sorts.
Beads, Bracelets, or Necklaces in Strings.	Brushes of all Sorts.
Beds.	Burdetts.
	Cambletts.
	Canvass.

QUARANTINE.

Carmenia Wool.	Nets new or old.
Carpets.	Paper.
Cordage not tarred.	Packthread.
Cotton Wool.	Parchment.
Cotton Yarn.	Pelts.
Cotton Thread.	Platting of Bast, Chip, Cane,
All Articles wholly made or	Straw, or Horse Hair.
mixed with Cotton, Silk,	Quills.
Wool, Thread, or Yarn.	Rags.
Down.	Sails and Sail Cloth.
Feathers.	Silks, viz.
Flax.	Crapes and Tiffanies.
Furrier's Waste.	Husks and Knubs.
Goats Hair.	Raw Silk.
Gold or Silver on Thread,	Thrown and Organzine Silk.
Cotton, Hair, Wool, or Silk,	Waste Silk.
or any other Substance	Wrought Silk.
herein-before enumerated.	Skins, Hides, and Furs, and
Grogram.	Parts or Pieces of Skins,
Hats, Caps, or Bonnets, of	Hides, and Furs, whether
Straw, Chips, Cane, or any	undressed, or in part or
other Material.	wholly tanned, tawed, or
Hemp.	dressed.
Hoofs.	Sponges.
Horn and Horn Tips.	Straw, or any Article made or
Hair of all Sorts.	mixed with Straw.
Leather.	Stockings of all Sorts.
Linen.	Thread.
Lutestrings, Catlings, or Harp-	Tow.
strings.	Vellum.
Maps.	Whisks.
Mattresses.	Wool, whether raw or anywise
Mats and Matting.	wrought.
Mohair Yarn.	Yarn of all Sorts.

And all other Goods whatever if they shall have arrived in or with Packages, consisting wholly or in part of any of the Articles above enumerated in this Class, unless such Goods shall be removed from such Packages as herein-after mentioned.

Manner of
expurgating
such Goods.

Sect. 32. And it is hereby further ordered, That the Expurgation of the Goods, Wares, and Merchandizes enumerated as before mentioned, after they have been removed to the floating Lazaret, shall proceed in the following Manner; that is to say,

All Bales of Cotton shall be opened from one End to the other, and so much taken out as to leave Room for handling daily the interior of the Bale. The following Articles, viz.

Rags,	Carmenia Wool, and
Raw Wool,	Hair,
Goats Wool,	

shall be taken out of the Bags or Bales, and shall be ranged in low Heaps, not above Four Feet high, and successively handled and rummaged.

All Bales of Raw Silk, Silk Stracce (or Refuse), and Silk Thrown, shall be opened on one Side from End to End, the Cords loosened, and Way made, by removing a Number of Skeins, for the Porters to handle the Interior of the Bales; and at the Expiration of Twenty Days, that Side of the Bale which has been opened being resewed, the other Side shall be ripped open, and the Contents handled and aired in the like Manner, till the Thirty-fifth Day, when the Bales shall be put in Order for Delivery.

All Packages of Cotton, of Yarn, of Thread, of Silk Stuffs, of Cotton Stuffs, or Burdetts, of Camblets, and of Linen, shall be opened, and the Piece Goods piled in Rows, Lattice Fashion, or in Pyramids; turned every Four Days, and completely spread out and suspended on Cords for several Days.

Cases of Paper, Books, Parchment, Cases of Sponges, and Silk and Thread Stockings, shall be entirely unpacked, and the smaller Parcels separated from each other, and so disposed as to admit of thorough airing:

Feathers,
Straw Hats,
Artificial Flowers,
Coral Beads in String,
Brushes shall be spread out in the same Manner,
Carpets,
Furs,
Hides and Skins,

shall be unbaled, and each Piece shall be spread and suspended on Cords, sometimes in the open Air, and frequently turned.

All Goods packed in or with Straw, Cotton, or any other enumerated Article, or considered as susceptible, shall be entirely taken out of or separated from the same and carefully aired.

All Goods enumerated above, concerning the Expurgation of which no particular Directions have been herein-before given, shall be unpacked, opened, aired, and handled in like Manner, so far as may be, as is herein-before directed, with regard to Goods of a similar Description.

Sect. 33. And it is hereby further ordered, That after the Delivery of all the Goods, Wares, and Merchandizes enumerated as before mentioned into a floating Lazaret, the Vessel, with the Rest of the Cargo, shall then commence and perform Quarantine of Thirty Days, during which the Packages of the Goods, Wares, or Merchandizes, not enumerated, remaining on

Such Vessels
to perform
Quarantine
Thirty Days;

QUARANTINE.

board such Ship or Vessel shall be frequently swept and shifted, and moved from Time to Time as much as possible, according to the Nature thereof, so as to admit of free Ventilation; and at the Expiration of the said Thirty Days, if all Persons on board continue free from every Appearance of Infection, the Vessel, and such Part of the Crew, Passengers, and Cargo as shall have remained on board, shall be finally fumigated and discharged.

and Manner of
Time for deli-
vering dried
Fruits, Oil,
Grain, &c.

Sect. 34. Provided always, That if all the Persons on board remain in Health, dried Fruits having been shifted from Baskets or other Packages made of Articles enumerated, or considered as susceptible, when such dried Fruits shall have been imported in such Packages, may be delivered in Twenty Days; dried Fruits in Packages of Wood in Ten Days; Barrels of Oil, the Bungs being first tarred, and the Barrels brushed, and then thoroughly washed in Sea Water, in Ten Days; Grain, Pulse, and other Seed in Bulk, on the Eleventh Day, after having been passed through an Iron Grating, in order to detect any susceptible Matter that may be mixed therewith; Grain, Pulse, and other Seeds in Sacks, or in Casks or Baskets of Rush Mat, being shifted into fresh Sacks or Packages in like Manner, on the Eleventh Day, being likewise passed through an Iron Grating; but in all Cases where any Goods, Wares, or Merchandizes shall have been shifted from such susceptible Packages as aforesaid into fresh Packages, the said susceptible Packages shall be sent to the Lazaret to perform Quarantine, according to the Nature thereof, or shall be destroyed, or shall be dipped in the Sea, and then remain on board the importing Vessel till the Expiration of the Quarantine, at the Option of the Importer.

Time of Qua-
rantine for
Goods to com-
mence from the
Day of Re-
moval from the
importing Ves-
sel.

Sect. 35. And it is hereby further ordered, That the Quarantine of all Goods, Wares, and Merchandizes (as well such as are directed to be left in as such as are to be removed from the Vessel), in Cases where the Cargo shall consist partly of enumerated Articles and partly of non-enumerated Articles, shall commence and be computed from the Day on which the whole of the enumerated Articles shall have been removed from the Vessel importing the same, to be opened and aired in the Manner before directed (except as herein-before particularly excepted).

Time for Ves-
sels to be
reckoned from
the Day on
which Guar-
dians are sent
on board.

Sect. 36. And it is hereby further ordered, That the Quarantine of Thirty Days to be performed by all Vessels arriving without Clean Bills of Health (1), but with Cargoes wholly consisting of Articles considered as not susceptible of Infection, and not enumerated, shall commence and be computed from

(1) See § 33.

the Day on which the Quarantine Guardians shall be put on board. QUARANTINE.

Sect. 37. And it is hereby further ordered, That all Vessels, and all Persons, Goods, Wares, and Merchandizes on board thereof, arriving with suspected Bills of Health (commonly called touched Patents or Bills), shall respectively perform Quarantine, and be treated in the same Manner as above directed concerning Vessels arriving with Foul Bills of Health; and Persons, Goods, Wares, and Merchandizes, arriving in such Vessels, except only that such Vessels, Persons, Goods, Wares, and Merchandizes, so arriving with suspected Bills of Health, shall respectively be subject to Ten Days less Quarantine.

Time for Vessels with suspected Bills of Health.

Sect. 38. And it is hereby further ordered, That with respect to all Vessels whatsoever having on board any of the Articles enumerated as before stated (1), and intending to import the same into any Port or Place in the United Kingdom, or the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, from any Port or Place in *Europe* without the *Straits*, or on the Continent of *America*, at which there is not a regular Establishment for the Performance of Quarantine, declared sufficient by His Majesty in Council as aforesaid, the Master or other Person having Charge of every such Vessel is hereby required to bring with him a Declaration made by the Owner, Proprietor, Shipper, or Consignee of such Vessel, or of the Goods, Wares, and Merchandizes enumerated as aforesaid on board the same respectively, upon Oath before some Magistrate of the Port or Place from whence such Master or other Person having the Charge or Command of such Vessel shall have brought the said Goods, Wares, and Merchandizes, and attested by such Magistrate, and also by the *British* Consul or Vice Consul, or in case there shall be no *British* Consul or Vice Consul there, then by Two known *British* Merchants; in which Declaration it shall be stated, either negatively, that the said enumerated Goods, Wares, and Merchandizes are not of the Growth, Produce, or Manufacture of *Turkey*, or of any Place in *Africa* within the *Straits of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*; or affirmatively, of what Place they are the Growth, Produce, or Manufacture; and if they are of the Growth, Produce, or Manufacture of any of the Countries last mentioned, then it shall be stated in such Declaration whether the said Vessel is or is not the same in which the enumerated Goods, Wares, and Merchandizes, so imported, were brought from *Turkey*, or from any of the Countries last men-

Masters of Vessels importing enumerated Goods from Ports without the Straits or in America to bring a Declaration either that such Goods are not the Growth of Turkey, &c., or of what Country they are the Growth.

(1) See § 31. as to those Articles; but, by Order of 15th September 1826, this Declaration is only required in respect of the Articles there mentioned.

QUARANTINE.

if Vessel, the same Master to bring the Bill of Health.

If Goods have been transhipped, Master to bring a Declaration whether they were imported into the Port of Transshipment with or without a Clean Bill of Health.

If none of the Goods are of the Growth of Turkey, &c. they are to be admitted to Entry.

If Goods are of the Growth of Turkey, &c., or if no Declaration is produced, Vessel to perform Quarantine.

tioned; and in case the Vessel is the same, the Master or other Person having the Charge or Command of such Vessel is hereby required to bring with him the Bill or Bills of Health, granted at the Port where any such Goods were originally taken on board, or Copies thereof attested by a Notary Public; and if the Vessel having on board such Goods, Wares, and Merchandizes shall be other than that in which they were imported into any Port or Place in *Europe* without the *Straits*, or on the Continent of *America*, at which there is not a regular Establishment for the Performances of Quarantine, declared sufficient by His Majesty in Council as aforesaid, the Master or other Person having the Charge of such Vessel is hereby required to bring with him a Declaration, made and attested in like Manner as the Declaration before mentioned, in which it shall be stated whether the said enumerated Goods, Wares, and Merchandizes were imported into the Ports of the Countries last mentioned in a Vessel with or without a Clean Bill of Health; and such Master or other Person having the Charge of any such Vessel, if the same shall be bound to the Port of *London*, or to the River of *Thames* or *Medway*, shall forthwith produce such Declaration or Declarations (as the Case may be) to the Superintendent of Quarantine or his Assistant at *Standgate Creek*, or if the same shall be bound to any of the Outports or Islands aforesaid, to the Superintendent of Quarantine or his Assistant, or to the principal or other Officer of the Customs authorized to act in that Behalf at such Outport or Place; and if it shall appear that none of the said enumerated Goods, Wares, or Merchandizes on board such Vessel are of the Growth, Produce, or Manufacture of *Turkey*, or of any Place in *Africa* within the *Straits of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, such Vessel importing the same shall not be obliged to perform Quarantine, but shall, on Production of such Declaration to the Superintendent, or his Assistant, or to the principal or other Officer of the Customs as aforesaid, be admitted to an Entry in the usual and legal Manner; but if it shall appear that such enumerated Goods, Wares, or Merchandizes, or any Part thereof, are of the Growth, Produce, or Manufacture of any of the Countries last mentioned, or if no such Declaration shall be produced by the Master, or other Person having the Charge of such Vessel as aforesaid, then the Superintendent of Quarantine or his Assistant, or the principal or other Officer of the Customs authorized to act in that Behalf as aforesaid, at the Port or Place at which such Vessel shall arrive, as the Case may be, shall take care that every such Vessel, as well as the Officers, Crew, Passengers, and the entire Cargo on board the same, shall perform Quarantine, according to the Nature of the Case, at such and the same Places as are herein-before appointed for the Performance of Quarantine for the same Time, and in the same Manner as Vessels, their Officers, Crews, Passengers, and Cargoes, coming

from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, with Clean Bills of Health, are herein-before respectively required to perform Quarantine.

QUARANTINE.

Provided always, that if the Master or other Person having Charge of any Vessel coming from any Port or Place whatever, at which there is no regular Establishment of Quarantine declared sufficient by His Majesty in Council, shall bring with him a Declaration on Oath made by the Owner, Proprietor, Shipper, or Consignee of such Vessel, or of the Goods, Wares, and Merchandizes on board thereof respectively, before the *British Consul* or Vice Consul residing at or near such Port or Place, to the same Purport and Effect as aforesaid, that then and in such Case the Declaration so made as last aforesaid shall have the like Force and Effect to all Intents and Purposes whatever as if attested and sworn before a Magistrate in manner aforesaid.

Sect. 39. And it is hereby further ordered, That all Vessels arriving in the Ports of the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, having come from the *Mediterranean*, or from the *West Barbary* on the *Atlantic Ocean*, which, with their Officers, Crews, Passengers, and Cargoes, shall have previously performed Quarantine in the Lazaret of *Malta*, *Ancona*, *Venice*, *Messina*, *Leghorn*, *Genoa*, *Trieste*, or *Marseilles*, shall upon their Arrival be put under Quarantine in some of the Ports or Places herein-before appointed for the Performance of Quarantine, until the Commander, Master, or other Person having the Charge of such Vessel shall have produced to the Superintendent of Quarantine or his Assistant, or to the principal or other Officer of the Customs authorized to act in that Behalf, the proper Documents to prove that such Vessel, and the Officers, Crew, Passengers, and Cargo on board the same, have duly performed Quarantine in One of the Lazarets last mentioned; and upon so producing such Documents the said Vessel shall not be obliged to perform Quarantine, but shall, together with the Goods, Wares, and Merchandizes on board thereof, remain at such Quarantine Station until duly released by Order in Council.

Vessels having previously performed Quarantine to be detained until Proof made of such previous Performance.

Sect. 40. And it is hereby further ordered, That all Masters or other Persons having the Charge of any Vessels clearing Outwards from any Port or Place in the United Kingdom or the Islands aforesaid for any Port or Place in the *Mediterranean*, or in the *West Barbary* on the *Atlantic Ocean*, or for any Port or Place respecting which there shall at the Time of such clearing out be any Order of His Majesty in Council in force subjecting Vessels coming from thence to Quarantine, shall receive from the principal Officers of the Customs at such Port

Masters of Vessels clearing Outwards for the Mediterranean, &c. to receive an Abstract of Quarantine Regulations which is to be fixed on

QUARANTINE.
—
some Part of
the Vessel.

or Place a printed Paper containing an Abstract of such Quarantine Regulations as shall be thought necessary to be most generally notified and observed by such Masters, their Officers, Crews, and Passengers on board; and every such Master or other Person having Charge of any such Vessel shall cause the said printed Paper to be affixed on some convenient and conspicuous Part of his said Vessel, and there to remain so affixed until the Return of his said Vessel to some Port or Place in the United Kingdom or the Islands aforesaid, provided the said Vessel shall return to the United Kingdom or the Islands aforesaid within Twelve Months.

Such Masters
to take Flags
for Signals;

Sect. 41. And it is hereby further ordered, That every Commander, Master, or other Person having the Charge or Command of any Vessel about to sail from any Port or Place in the United Kingdom or the Islands aforesaid for any Port or Place in the *Mediterranean*, or in the *West Barbary* on the *Atlantic Ocean*, or for any Port or Place respecting which there shall at the Time of such clearing out be any Order of His Majesty in Council in force subjecting Vessels coming from thence to Quarantine, shall, before his Departure, provide and take on board One or more of the Quarantine Signal Flags, and Lanthorns directed by the herein-before recited Act of Parliament, and likewise a proper Quantity of Materials and Instruments for Fumigation and Immersion, and shall keep the same on board, to be used in the Manner herein-before directed upon the Return of such Vessel to any Port or Place in the United Kingdom.

also Materials
for Fumigation.

Commanders of
Ships of War
meeting Vessels
liable to Qua-
rantine to pre-
vent landing
Goods from
them.

Sect. 42. And it is hereby further ordered, That the Commanders of any of His Majesty's Ships of War who shall meet any Vessel liable to perform Quarantine, coming to any of the Ports of the United Kingdom, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, shall take due Care to prevent the landing of any Goods, Wares, Merchandizes, or Persons from on board the same, until they shall be put under the Direction of the Superintendent of Quarantine or his Assistant at *Standgate Creek* or *Milford Haven*, or under the Direction of the Superintendent or his Assistant, or the principal or other Officer of His Majesty's Customs, authorized to act in that Behalf as aforesaid, at any of the Outports or Places herein-before mentioned.

Commissioners
of Customs to
use their utmost
Diligence to
enforce Qua-
rantine Regu-
lations.

Sect. 43. And it is hereby further ordered, That the Commissioners and other Officers of His Majesty's Customs do use their utmost Diligence and Care that all Regulations for the Performance of Quarantine, before directed, be duly observed.

Sect. 44. And it is hereby further ordered, That the Commanders of His Majesty's Ships of War, as likewise the Commanders of His Majesty's Forts and Garrisons lying near the Sea Coasts, and all Justices of the Peace, Mayors, Sheriffs, Bailiffs, Chief Magistrates, Constables, Headboroughs, Tithingmen, and all other Officers and Ministers of Justice, shall be aiding and assisting to the said Superintendents of Quarantine and their Assistants, and to the principal and other Officers of His Majesty's Customs, and to all others that shall be concerned in stopping such Vessels as aforesaid, and in bringing them to the Places appointed for the Performance of Quarantine, as well as in enforcing due Performance thereof.

QUARANTINE.

Commanders of Ships of War, of Garrisons, Justices and others to aid therein.

Sect. 45. And it is hereby further ordered, That this Order and the Regulations herein contained shall take effect and be in force from and after the Date hereof.

Order to take effect from the Date.

Provided always, that the Regulation with respect to the Production of Declarations for enumerated Articles brought from any Port or Place in *Europe*, without the *Straits*, shall commence and take effect on the First Day of *November* One thousand eight hundred and twenty-five, and for the like Articles brought from any Port or Place on the Continent of *America* on the First Day of *January* One thousand eight hundred and twenty-six, and not before; until which respective Times such Proof shall be required and admitted as to the Growth, Produce, and Manufacture of such Articles as shall be thought expedient, and shall be directed by the Lords and others of His Majesty's Privy Council, or any Two or more of them.

Sect. 46. And the Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, the Lord Warden of the Cinque Ports, the Master General and the rest of the principal Officers of the Ordnance, His Majesty's Secretary at War, and the Governors and Commanders in Chief for the Time being of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, are to give the necessary Directions herein as to them may respectively appertain.

Lords of the Treasury, &c. to give the necessary Directions.

C. C. GREVILLE.

QUARANTINE.

At the Court at WINDSOR, the 30th Day of September 1825.
Present, The King's most Excellent Majesty in Council.

So much of
Order in Coun-
cil of the
19th July 1825
as relates to the
Performance of
Quarantine at
Cromarty Bay
and Carsthorn
revoked; and
Inverkeithing
Bay and Holy
Loch in the
Frith of Clyde
substituted for
them.

WHEREAS by His Majesty's Order in Council of the Nine-
teenth of *July* last it is directed, that all Ships or Vessels liable
to Quarantine as are or shall be bound to the Northern Ports of
Scotland shall perform the Quarantine at *Cromarty Bay*, and
that such of them as are or shall be bound to the South-west
Ports of *Scotland* shall perform their Quarantine at *Carsthorn*;
it is hereby ordered by His Majesty, by and with the Advice of
His Privy Council, That so much of the said Order in Council
as relates to the Performance of Quarantine at *Cromarty Bay*
and *Carsthorn* be and the same is hereby revoked; and His
Majesty is pleased to order, by and with the Advice aforesaid,
that all Ships or Vessels as are or shall be bound to the
Northern Ports of *Scotland*, comprehending the Ports of

Inverness, *Caithness,*
Zetland, and
Orkney, *Stornaway,*

or to any Member, Creek, or other Place belonging to or within
any or either of the above Ports, shall perform their Quarantine
at *Inverkeithing Bay*, and that such Ships or Vessels as are or
shall be bound to the South-west Ports of *Scotland*, compre-
hending the Ports of

Dumfries, and *Kirkcudbright,*

or to any Member, Creek, or other Place belonging to or
within either of the above Ports, shall perform their Quarantine
at *Holy Loch* in the *Frith of Clyde*.

And the Right Honourable the Lords Commissioners of His
Majesty's Treasury and the Lords Commissioners of the Ad-
miralty are to give the necessary Directions herein as to them
may respectively appertain.

JAMES BULLER.

(Copy.)

Office of Committee of Privy Council for Trade,
15th September 1826.

Sir,

Declaration of
Origin required
for certain
Goods only.

It being now considered necessary to require Consular Decla-
rations of Origin, as to the Produce or Manufacture of the
following Articles only, on their Conveyance to this Kingdom
from Ports or Places in Europe, viz.

Cotton,	} of all Kinds, unmanufactured ;
Wool,	
Silk,	
Hemp or Flax,	
Hair,	

Leather,	}	generally ;
Skins,		
Hides and Furs,		
Carpets,		
Ostrich Feathers and Sponges,		
Rags,		
Cotton Yarn,		
Mohair Yarn, and Feathers,	}	

I am directed by the Lords of the Committee of Privy Council for Trade to acquaint you therewith, for the Information of Mr. Secretary Canning, and to convey their Lordships Request, that His Majesty's several Consuls in Europe may be instructed to pay strict Attention thereto.

I am, &c.

To Joseph Planta, Esq.
&c. &c. &c.

(Signed) JOHN PORTER,
In the Absence of the Secretary.

Sir,

Council Office, Whitehall,
27th August 1827. (1)

The Lords of His Majesty's most honourable Privy Council having had under their Consideration various Petitions from Merchants and Ship Owners trading to the *Mediterranean* and the *Levant*, praying for Relaxations in the Laws relating to Quarantine; and their Lordships having understood, from Communications they have had with the Committee of *British Ship Owners* and others, that in the event of such Relaxations being granted, there will be no Objection on the Part of such Merchants and Ship Owners to pay an additional Fee of One Guinea for each Vessel that shall be released from Quarantine, for the Purpose of relieving the Public from any additional Expence that may be incurred by the Appointment of Medical Superintendents; their Lordships have come to the Determination of appointing Medical Superintendents at the regular Quarantine Ports where it may be thought necessary, and of directing and empowering the Superintendents of Quarantine at those Ports, under a Certificate from the Medical Superintendent that all Persons on board are in good Health, and that no Danger is to be apprehended from any Disease of a suspicious Nature as to Infection having prevailed on board during the Voyage, immediately to release from Quarantine all Vessels arriving under the following Circumstances; viz.

Certain Vessels
to be released
from Quarantine upon the
Certificate of
the Medical
Superintendent.

1st. All Vessels with Clean Bills of Health having non-enumerated Goods only on board, coming from any Ports or Places in

(1) See Order 26th September 1843.

QUARANTINE.

the *Mediterranean*, under the Dominion or Protection of *Great Britain*; or under the Dominion of *France, Spain, Italy, Austria, or Sardinia*.

2d. All Vessels arriving with Clean Bills of Health from any of the Ports or Places above described, having on board any of the following enumerated Goods, being the only enumerated Goods for which Declarations of Origin are now required, viz.

Cotton,	Leather,
Wool,	Skins,
Silk,	Hides,
Flax,	Sponges,
Hemp,	Ostrich Feathers,
Hair,	Cotton Yarn,
Furs,	Mohair Yarn,
Carpets,	

provided the Master of such Vessel shall produce Certificates or Declarations to prove that such Goods are not the Produce of *Turkey*, or of *Africa* within the *Straits*, or of *West Barbary* on the *Atlantic*, or that they are the Produce of some other Country.

3d. Vessels with Clean Bills of Health arriving from any of the acknowledged Lazaret Ports within the *Straits*; viz.

<i>Malta,</i>	<i>Leghorn,</i>
<i>Ancona,</i>	<i>Genoa,</i>
<i>Venice,</i>	<i>Trieste,</i>
<i>Messina,</i>	<i>Marseilles,</i>

and having enumerated Goods on board, provided the Master of the Vessel shall declare upon Oath that he received the Goods on board from the Shore at such Lazaret Port.

I am directed to communicate to you the above Determination of their Lordships, for the Information of the Commissioners of His Majesty's Customs, and in order that they may give the necessary Directions and Instructions to the Superintendents at the Quarantine Stations at *Milford, Liverpool, Standgate Creek, and Deal* to release all Vessels coming from any of the Places above described, and under the Circumstances above stated, having first put the usual Quarantine Questions, and having examined the Master, Crew, and Passengers of such Vessel, and having received from the Medical Superintendent a Certificate in the Form marked A. herewith transmitted.

The Superintendent of Quarantine, on releasing any Vessel, shall deliver to the Master or other Person having the Command of such Vessel, a Certificate, signed by the said Superintendent, according to the Form B. herewith transmitted, which Certificate the Master will produce at the Port of Entry, to the proper Officer of the Customs, to whom he will pay the

Fee due thereon, previous to the Vessel being admitted to Entry. QUARANTINE.

That Part of the Fee which is payable to the Fee Fund of the Privy Council and Treasury is to be disposed of as at present. The additional Fee of 1*l.* 1*s.* which is to be charged in future on every Vessel released from Quarantine, and which is to defray the Expence of the Medical Superintendent, is to be placed to the Credit of His Majesty's Revenue of Customs.

The Superintendents of Quarantine should be directed to transmit in the usual Manner the Quarantine Papers of the Vessels which may be so released, together with the Medical Certificate and Bill of Health for each Vessel.

I am to add, that it is their Lordships desire that the above Regulations should be acted upon as soon as the Medical Superintendents shall have joined their respective Stations.

The Quarantine Papers of Vessels liable to Quarantine, but not coming under any of the above Regulations (as well as those of any Vessels which may be detained under suspicious Circumstances), are to be forwarded for the Consideration of the Privy Council in the Manner hitherto practised.

A sufficient Number of Blank printed Forms of the Certificates marked A. and B. above referred to should from Time to Time be transmitted, by the Commissioners of His Majesty's Customs, to the Superintendents at the several Quarantine Stations.

I am further directed to transmit the enclosed Draft of Instructions to the Medical Superintendent, and I am to desire that you will move the Commissioners of His Majesty's Customs to cause Copies of the same to be transmitted to the Medical Superintendents at the several Stations above mentioned, for their Information and Guidance.

I am, Sir,

Your most obedient humble Servant,

Thomas Whitmore, Esq.

C. C. GREVILLE.

A.—FORM of MEDICAL CERTIFICATE.

No.

I hereby certify, That I have examined the Crew and Passengers on board the Ship

Master, from having a Clean Bill of
Health, and am of opinion that the Vessel, Crew, and Cargo
may be immediately admitted to Pratique.

(Signed)

QUARANTINE.

B.

No.

I hereby certify, That I have examined
 Master of the _____ from
 with a Clean Bill of Health, bound to
 with a Cargo of _____ and having received
 the proper Certificate from the Medical Superintendent, I have
 released the Vessel, Crew, Passengers, and Cargo from all
 Restraints of Quarantine.

The Quarantine Fee, *5l. 14s. 6d.*, to be paid upon the Vessel
 being admitted to Entry.

Sir,

Council Office, Whitehall,
 27th November 1827.

Transports from
 the Mediter-
 ranean to be
 treated as Men
 of War.

Having laid before the Lords of His Majesty's most ho-
 nourable Privy Council your Letter of the 14th instant, request-
 ing Information as to the Manner in which Transports arriving
 from the *Mediterranean* are to be treated with respect to
 the Performance of Quarantine, &c., I am directed to acquaint
 you, for the Information of the Commissioners of His Majesty's
 Customs, that Transports are to be treated in all respects as
 Men of War, according to His Majesty's Order of 26th *May*
 last, both as regards their Release from Quarantine, Fees, &c. ;
 but that if any Suspicion of Contagion shall arise, the Superin-
 tendent of Quarantine must, in such Case, as a matter of course,
 place the Vessel under Quarantine, and take the Advice of the
 Medical Attendant.

I am, Sir, '

Your obedient humble Servant,

T. Whitmore, Esq.

C. C. GREVILLE.

Sir,

Council Office, Whitehall,
 26th September 1843.

Certain Vessels
 may be released
 by the Qua-
 rantine Officer.

The Lords of Her Majesty's Council having had under
 Consideration the great Inconvenience experienced by the
 Shipping Interest upon the Arrival of Vessels from the *Mediterranean*, in consequence of the Delay occasioned by their being
 under the Necessity (more particularly on the Coast of *Ireland*)
 of anchoring at a Distance from their Ports of Destination,
 and waiting for the Visit of the Medical Officer ; I have been
 directed to state to you, for the Information of the Commis-
 sioners of Customs, that with reference to my Letter of the
 27th *August* 1827, giving Authority for the Release from Qua-

Quarantine of certain Vessels by Medical Certificate, their Lordships are of opinion that the Visit by a Medical Man to the Vessels referred to in the before-mentioned Letter may in future be dispensed with, and that all Vessels arriving under the following Circumstances may be released immediately (1) by the Visiting Quarantine Officer or Tide Surveyor after having received Replies to the Quarantine Questions, provided that all Persons on board are in good Health and free from any Suspicion as to any infectious Disease having prevailed on board during the Voyage; viz.

No. 1. All Vessels with Clean Bills of Health having non-enumerated Goods only on board coming from any Ports or Places in the *Mediterranean* under the Dominion or Protection of *Great Britain*, or under the Dominion of *France*, *Spain*, *Italy*, *Austria*, *Sardinia*, or *Greece*, or Vessels arriving from *West Barbary* including *Tangiers*.

2dly. No. 2. All Vessels arriving with Clean Bills of Health from any of the Ports or Places as above described, having on board any of the following enumerated Goods, viz.

Cotton,	Skins,
Wool,	Hides,
Silk,	Sponges,
Flax,	Ostrich Feathers,
Hemp,	Cotton Yarn,
Hair,	Mohair Yarn,
Carpets,	Rags,
Leather,	

provided the Masters of such Vessels shall produce Certificates or Declarations to prove that such Goods are not the Produce of *Turkey*, or of *Africa* within the *Straits*, or that they are the Produce of some other Country; and a Certificate, if any Rags are on board, that they have been cleansed.

3dly. No. 3. Vessels with Clean Bills of Health arriving from any of the acknowledged Lazaret Ports within the *Straits*, viz.

<i>Malta</i> ,	<i>Messina</i> ,
<i>Ancona</i> ,	<i>Genoa</i> ,
<i>Venice</i> ,	<i>Leghorn</i> ,
<i>Trieste</i> ,	<i>Marseilles</i> ,

having enumerated Goods on board, provided the Master of the Vessel shall declare upon Oath that he received the Goods on board in free Pratique from the Shore at such Lazaret Port.

I am further directed to state the Desire of the Lords of the Council that this Regulation may commence on the 11th of *October* next, it being understood that the Quarantine Papers of all Vessels arriving from *Turkey* and other suspected Places in

QUARANTINE.

the *Levant* (not described in No. 1.) are to be forwarded to the Commissioners of Customs, as at present, by the Quarantine Visiting Officer or Tide Surveyor without any Medical Visit, unless under some particular Circumstances which may make it necessary.

I am, Sir,

Your obedient Servant,

C. Scovell, Esq.

C. C. GREVILLE.

Sir,

Council Office, Whitehall,
11th October 1843.

In reply to your Letter of this Day's Date, stating the Request of the Commissioners of Customs to be informed, whether by the Order of the 26th ultimo, relative to the Release of Vessels by the Visiting Officers or Tide Surveyors, it is the Intention of the Lords of the Council that Vessels arriving from Ports and Places in the *Mediterranean*, under the Circumstances stated in the before-mentioned Order, should proceed at once to their Ports of Destination to be examined, or in the first instance to the regular Quarantine Stations, I am directed to state to you, for the Information of the Commissioners of Customs, that it is the Intention of their Lordships that the Vessels should be examined upon their first Arrival by the proper Officers, without proceeding to the Quarantine Stations, unless they should be required to be sent there under Suspicion as to Sickness or Deaths having occurred on board, or under some other suspicious Circumstances.

I am, Sir,

Your obedient Servant,

W. L. BATHURST.

Sir,

Council Office, Whitehall,
12th October 1844.

I am directed by the Lords of Her Majesty's Privy Council to state to you, for the Information of the Commissioners of Her Majesty's Customs, the Desire of their Lordships that Instructions should be given to the Superintendents of Quarantine, at the different Ports, to release from Quarantine, immediately upon their Arrival, Her Majesty's Ships of War, as well as Foreign Men of War coming from the *Mediterranean*, provided all Persons on board are in good Health, and have not been less than Fifteen Days on their Voyage after having touched at any *Turkish* Port in the *Mediterranean*.

I am, Sir,

Your obedient Servant,

W. Maclean, Esq.

WM. L. BATHURST.

Vessels from
certain Ports to
proceed to their
Destination at
once.

Ships of War
to be released
immediately.

4^o GEO. 4. Cap. 77.

An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels; and to exempt certain Foreign Vessels from Pilotage. (1)

[18th July 1823.]

RECIPROCITY.

—

WHEREAS it is the Practice in many Cases, as well in Foreign Countries as in the United Kingdom, to charge higher Duties, and to grant smaller Drawbacks, Bounties, and Allowances, upon Goods, Wares, or Merchandize, when imported or exported in Ships or Vessels not belonging to the Country in which such Duties are charged, or Drawbacks, Bounties, or Allowances are granted, than are charged or granted when imported or exported in Ships or Vessels belonging to such Country: And whereas it is expedient that His Majesty should be empowered to allow the Importation or Exportation of any Goods, Wares, and Merchandize, in Foreign Vessels, upon Payment of the like Duties, and with the like Drawbacks, Bounties, and Allowances, as are now by Law paid or granted upon similar Goods, Wares, and Merchandize, when imported or exported in *British* Vessels from or to those Countries in which no other Duties are charged, or other Drawbacks, Bounties, or Allowances granted, upon the Importation or Exportation of any Goods, Wares, or Merchandize into or from such Country in *British* Vessels, than are charged or granted upon such Goods when imported into or exported from such Countries in Foreign Vessels: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for His Majesty, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from Time to Time in the *London Gazette*, to authorize the Importation into or Exportation from the United Kingdom, or from any other of His Majesty's Dominions, of any Goods, Wares, or Merchandize which may be legally imported or exported in Foreign Vessels, upon Payment of such and the like Duties only, and with the like Drawbacks, Bounties, and Allowances, as are charged or granted upon similar Goods, Wares, or Merchandize, when imported or exported in *British* Vessels; provided always, that before any such Order or Orders shall be issued, satisfactory

His Majesty may, by Order in Council, authorize the Importation and Exportation of Goods in Foreign Vessels, on Payment of same Duties, &c. as British Vessels.

Proof to be first given, that

(1) For Extension of this Act, see the following Act, 5 Geo. 4. c. 1.

RECIPROCITY.

in such Foreign
Country Goods
imported and
exported in
British Vessels
pay the same
Duties, &c. as if
in Vessels of
the Country.

Proof shall have been laid before His Majesty and His Privy Council, that Goods, Wares, and Merchandize, imported into or exported from the Foreign Country in whose Favour such Remission of Duties, or such Drawbacks, Bounties, or Allowances shall be granted, are charged with the same Duties, and are allowed the same Drawbacks, Bounties, or Allowances, when imported into or exported from such Foreign Country in *British* Vessels, as are levied or allowed on similar Goods, Wares, and Merchandize, when imported or exported in Vessels of such Country.

Additional
Duties may be
levied on Goods
imported in
Vessels belong-
ing to Countries
where higher
Duties are im-
posed on Goods
imported in
British Vessels,
than when im-
ported in Ves-
sels of the
Country.

Sect. 2. And be it further enacted, That it shall and may be lawful to and for His Majesty, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council as aforesaid, whenever it shall be deemed expedient, to levy and charge any additional Duty or Duties of Customs, or to withhold the Payment of any Drawbacks, Bounties, or Allowances, upon any Goods, Wares, or Merchandize, imported into or exported from the United Kingdom, or imported into or exported from any of His Majesty's Dominions, in Vessels belonging to any Foreign Country, in which higher Duties shall have been levied, or smaller Drawbacks, Bounties, or Allowances granted, upon Goods, Wares, or Merchandize, when imported into or exported from such Foreign Country in *British* Vessels, than are levied or granted upon similar Goods, Wares, and Merchandize, when imported or exported in Vessels of such Country; provided always, that such additional or countervailing Duties so to be imposed, and Drawbacks, Bounties, or Allowances so to be withheld as aforesaid, shall not be of greater Amount than may be deemed fairly to countervail the Difference of Duty, Drawback, Bounty, or Allowance paid or granted on Goods, Wares, or Merchandize imported into or exported from such Foreign Country in *British* Vessels, more or less than the Duties, Drawbacks, Bounties, or Allowances there charged or granted upon similar Goods, Wares, or Merchandize imported into or exported from such Foreign Country in Vessels of such Country.

Duties to be
levied as other
Duties.

Sect. 3. And be it further enacted, That such additional or countervailing Duties of Customs shall be levied, recovered, and applied, in such and the like Manner as any other Duties of Customs are now by Law levied, recovered, or applied.

Such Duties
may be re-
moved, or again
imposed.

Sect. 4. And be it further enacted, That His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council as aforesaid, is hereby empowered to remove, or again to impose, any such additional or countervailing Duty of Customs, or to renew or withhold such Drawbacks, Bounties, or Allowances, whenever it shall be deemed expedient so to do.

Sect. 5. And whereas it might tend to the Advantage of *British* Vessels arriving in Foreign Ports, if Power was given to His Majesty to exempt Foreign Vessels of less Burden than Sixty Tons from the Obligation of taking on board Pilots to conduct them into or from the Ports of the United Kingdom, in all Cases in which *British* Vessels of less Burden than Sixty Tons are not required by Law to take Pilots; be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council, in all such Cases as aforesaid, to exempt Foreign Vessels, being of less Burden than Sixty Tons, from taking on board a Pilot to conduct them into or from any of the Ports of the United Kingdom; any Law, Custom, or Usage to the contrary notwithstanding.

RECIPROCITY.

Foreign Vessels of less Burden than Sixty Tons exempted from the Obligation of taking on board a Pilot to conduct them into British Ports.

Sect. 6. And be it further enacted, That a Copy of every Order in Council which may be issued under the Authority of this Act shall be laid before Parliament as soon after the issuing thereof as may be practicable, if Parliament shall be sitting, and if it shall not then be sitting, within Thirty Days after the Meeting thereof.

Orders in Council to be laid before Parliament.

5^o GEO. 4. Cap. 1.RECIPROCI-
TY.

An Act to indemnify all Persons concerned in advising, issuing, or acting under a certain Order in Council, for regulating the Tonnage Duties on certain Foreign Vessels; and to amend an Act of the last Session of Parliament, for authorizing His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in any Foreign Vessels.

[5th March 1824.]

4 G. 4. c. 77.

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Vessels from Pilotage*, His Majesty is authorized, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, whenever it shall be deemed expedient, and under the Provisions in the said Act contained, to levy and charge any additional Duty or Duties of Customs upon any Goods, Wares, or Merchandize, imported into the United Kingdom, or into any of His Majesty's Dominions, in Vessels belonging to any Foreign Country, in which higher Duties shall have been levied upon Goods, Wares, or Merchandize, when imported into such Foreign Country in *British* Vessels, than are levied or granted upon similar Goods, Wares, or Merchandize, when imported in Vessels of such Country; provided that such additional Duties shall not be of greater Amount than may be deemed fairly to countervail the Difference of Duty paid or granted on Goods, Wares, or Merchandize, imported into or exported from such Foreign Country in *British* Vessels, more than the Duties there charged upon similar Goods, Wares, or Merchandize, imported into or exported from such Foreign Country in Vessels of such Country: And whereas His Majesty, by and with the Advice of His Privy Council, since the passing of the said recited Act, has been pleased to order, that there should be charged on all Vessels of the United States of *America*, which should enter any of the Ports of His Majesty's Possessions in *America* or the *West Indies*, with Articles of the Growth, Production, or Manufacture of the said States, a Tonnage Duty equal (as nearly as may be) to the Difference between the Tonnage Duty payable by Vessels of the United States, and the higher Tonnage Duty payable by *British* Vessels entering any of the Ports of the said United States from any Ports of His Majesty's Dominions in *America* or the *West Indies*; and by the said Order in

Council, the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* were required to give the necessary Directions accordingly : And whereas such Tonnage Duty hath been, and may be levied and paid upon and in respect of such Vessels accordingly : And whereas Doubts have arisen how far the Provisions of the said recited Act extend to the levying, by the Authority of the said Order in Council, additional Tonnage Duties upon the Vessels aforesaid ; and it is expedient that all Proceedings under the said Order in Council should be sanctioned by Parliament ; and that all Persons concerned in advising, issuing, or carrying the same into execution should be respectively indemnified : Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Order in Council, and any Directions or Warrants of the said Commissioners of His Majesty's Treasury accordingly, shall be deemed and taken to be good and valid in Law, to all Intents and Purposes whatever, as if the same had been specifically authorized by the said recited Act ; and that all Persons concerned in advising, issuing, or carrying into execution such Order in Council, or in issuing, giving, or advising any such Directions or Warrants, and also all Persons having acted, or who may act under or in pursuance of, or in obedience to any such Order, Direction, or Warrant, shall be and they are hereby respectively indemnified for and on account of the same, and of any Act or Thing done in pursuance of, or in obedience to, or in conformity with any such Order, Direction, or Warrant as aforesaid, as fully and effectually, to all Intents and Purposes whatsoever, as if any such Order, Direction, or Warrant had been given, and such Acts, Matters, and Things had been done, in pursuance of any Act or Acts of Parliament ; any thing in the said recited Act, or in any other Act or Acts of Parliament, to the contrary thereof in anywise notwithstanding.

Order in Council for regulating certain Tonnage Duties declared valid, and Persons indemnified for acting under the same.

Sect. 2. And be it further enacted, That if any Action, Suit, or Prosecution hath been or shall be commenced against any Person or Persons, for any Act, Matter, or Thing advised or done under such Order in Council, or under any such Directions or Warrants as aforesaid, it shall and may be lawful for the Defendants or Defenders in such Actions, Suits, or Prosecutions respectively, in whatever Courts such Actions, Suits, or Prosecutions shall have been commenced, to apply to such Court or Courts respectively to stay all Proceedings therein respectively by Motion in a summary Way, and such Court or Courts are hereby required to make Order for that Purpose accordingly ; and the Court or Courts making such Order shall award and allow to the Defendant or Defenders respectively

Actions to be stayed.

RECIPROCITY.

—

Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where Costs are by Law given to Defendants or Defenders.

His Majesty by Order in Council may direct additional Tonnage Duties to be levied on Vessels belonging to Countries where higher Tonnage Duties are imposed on British Vessels than on Vessels of such Countries.

Sect. 3. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for His Majesty, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from Time to Time in the *London Gazette* (whenever it shall be deemed expedient), to levy and charge any additional or countervailing Duty or Duties of Tonnage, upon or in respect of any Vessels which shall enter any of the Ports in the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty's Dominions, and which shall belong to any Foreign Country in which any Duties of Tonnage shall have been or shall be levied upon or in respect of *British* Vessels entering the Ports of such Country, higher or greater than are levied or granted upon or in respect of the Vessels of such Country: Provided always, that such additional or countervailing Tonnage Duties, so to be levied and charged as aforesaid, shall not be of greater Amount than may be deemed fairly to counter-vail the Difference of Duty paid in such Foreign Country upon or in respect of the Tonnage of *British* Vessels, more than the Duty there charged or granted upon or in respect of the Vessels of such Country.

His Majesty by Order in Council may authorize the Entry of Foreign Vessels on Payment of like Tonnage Duties as on British Vessels, upon certain Proof.

Sect. 4. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for His Majesty, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from Time to Time in the *London Gazette*, to permit and authorize the Entry into any Port or Ports of the United Kingdom of *Great Britain* and *Ireland*, or of any other of His Majesty's Dominions, of any Foreign Vessels, upon Payment of such and the like Duties of Tonnage only as are or may be charged or granted upon or in respect of similar *British* Vessels: Provided always, that before any such Order or Orders shall be issued, satisfactory Proof shall have been laid before His Majesty and His Privy Council, that Vessels of the Foreign Country, in whose Favour such Permission shall be granted, are charged with no other or higher Tonnage Duties on their Entrance into the Ports of such Foreign Country than are levied on the Entry into such Ports upon the Vessels of such Country.

Duties to be levied as Duties of Customs.

Sect. 5. And be it further enacted, That such additional or countervailing Tonnage Duties shall be levied, recovered, and applied in such and the like Manner as any Duties of Customs are now by Law levied, recovered, and applied.

Sect. 6. And be it further enacted, That His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council, as aforesaid, is hereby empowered to remove or again to impose any such additional or countervailing Tonnage Duties, whenever it shall be deemed expedient so to do.

RECIPROCITY.

Duties may be removed, or again imposed.

Sect. 7. Provided always, and be it enacted, That this Act may be altered, varied, or repealed by any Act or Acts of this present Session of Parliament.

Act may be altered this Session.

6° & 7° GUL. 4. Cap. 28.

SECURITY
BY DEPOSIT OF
Stock, &c.

An Act to enable Persons to make Deposits of Stock or Exchequer Bills in lieu of giving Security by Bond to the Postmaster General and Commissioners of Land Revenue, Customs, Excise, Stamps, and Taxes.

[4th *July* 1836.]

1° & 2° VICT. Cap. 61.

An Act to amend an Act for enabling Persons to make Deposits of Stock or Exchequer Bills in lieu of giving Security by Bond to the Postmaster General and Commissioners of Land Revenue, Customs, Excise, Stamps, and Taxes.

[31st *July* 1838.]

[It is thought sufficient to notify only the passing of the Two above-mentioned Acts.]

8° & 9° VICT. Cap. 65.

An Act to determine the countervailing Duties payable on Spirits of the Nature of plain *British* Spirits, the Manufacture of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, imported into the United Kingdom; and to prohibit the Importation of rectified or compound Spirits from the said Islands.

[31st July 1845.]

SPIRITS FROM
CHANNEL
ISLANDS.

WHEREAS, by the Laws now in force (1), Goods the Produce or Manufacture of the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* may be imported from the said Islands respectively into the United Kingdom, on Payment of such Proportion of such Duties as fairly countervail any Duties of Excise payable on the like Goods the Produce of the Part of the United Kingdom into which they are imported: And whereas the Duties of Excise payable on plain *British* Spirits the Produce of or distilled in *England* is Seven Shillings and Ten-pence upon every Gallon of such Spirits of the Strength of Hydrometer Proof, and Three Shillings and Eight-pence upon every Gallon of the like Spirits at the same Strength distilled in *Scotland*, and Two Shillings and Eight-pence upon every Gallon of the like Spirits at the same Strength distilled in *Ireland*; but by reason of the Duty of Excise on Malt, being Materials from which such Spirits are made, and of the Duty of Excise on Licences to Distillers and Makers of Malt and Spirits, the Duties before mentioned cannot be taken as fair countervailing Duties on the like Spirits the Produce or Manufacture of the said Islands imported into any of the Parts of the United Kingdom aforesaid, and it is necessary therefore to determine the same: And whereas plain *British* Spirits, when imported from one of the said Parts of the United Kingdom into another, must be removed under the Provisions of the Laws of Excise, and subject, when so removed, to be dealt with in all respects as if the same had been distilled in the Country into which the same have been so removed: And whereas Spirits denominated *British* Brandy and *British* Compounds, distilled or made in any Part of the United Kingdom, cannot be so removed, and there are no Duties of Excise payable thereon on which any countervailing Duty can be fairly estimated: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the countervailing Duties to be charged on all Spirits of the

Countervailing
Duties imposed
by this Act.

(1) See 8 & 9 Vict. c. 86. § 42.

SPIRITS FROM
CHANNEL
ISLANDS.

Nature or Quality of plain *British* Spirits, manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, and imported from any of the said Islands into the United Kingdom, shall be as follows; (that is to say,)

For and upon every Gallon of such Spirits of the Strength of Hydrometer Proof, as ascertained by *Sikes's* Hydrometer, imported into *England*, the Sum of Nine Shillings, and so in proportion for any greater Degree of Strength, or any greater or less Quantity :

For and upon every Gallon of such Spirits of the like Strength imported into *Scotland*, the Sum of Four Shillings and Ten-pence, and so in proportion for any greater Degree of Strength or any greater or less Quantity :

For and upon every Gallon of such Spirits imported into *Ireland*, the Sum of Three Shillings and Ten-pence, and so in proportion for any greater Degree of Strength, or any greater or less Quantity.

Duties to be
under the Man-
agement of the
Commissioners
of Excise.

Sect. 2. And be it enacted, That the said several countervailing Duties shall be under the Management of the Commissioners of Excise, and shall be collected, paid, and accounted for as Duties of Excise, and in the same Manner as any Duties of Excise now imposed on plain *British* Spirits manufactured in *England*, *Scotland*, or *Ireland* respectively, and removed from any one of the said Parts of the United Kingdom into any other, are directed to be collected, paid, and accounted for when made payable in that Part of the United Kingdom into which such Spirits are so removed, under any Law or Laws of Excise; and the general and special Provisions, Clauses, Enactments, Regulations, Pains, Penalties, and Forfeitures contained in any Act or Acts relating to the Collection and Management of the Revenue of Excise shall, so far as the same are applicable thereto, be applied to the Collection and Management of the said countervailing Duties and to this Act.

Spirits of the
Nature of plain
British Spirits,
manufactured
in the Islands,
and imported
into the United
Kingdom, to be
denominated
plain *British*
Spirits, and im-
ported under
the same Regu-
lations of Excise
as Spirits re-
moved from
Scotland or
Ireland, &c.

Sect. 3. And be it enacted, That all Spirits of the Nature or Quality of plain *British* Spirits, manufactured in any of the Islands aforesaid, and imported into any Part of the United Kingdom, shall be denominated plain *British* Spirits, and shall be imported only under such Denomination, and at the like Strength, and in Casks of the same Size, and Vessels of the same Tonnage, as the like Spirits manufactured in *England*, *Scotland*, or *Ireland* may be removed from one of the said Parts of the United Kingdom into another; and the said Spirits, when so imported from any of the said Islands, shall, upon such Importation, and before landing, be entered under the like Denomination with the proper Officer of Excise at the Port at which such Spirits are imported, subject to the Provisions aforesaid, and under the like Regulations, Pains, Penalties, and Forfeitures as are imposed in such respect on plain *British*

Spirits under any Law or Laws of Excise, and subject to the several Provisions, Clauses, and Enactments (except so far as altered by this Act) of any Law or Laws of the Customs respecting the Declaration and Certificate of Produce, and other Regulations required by the said last-mentioned Laws to be observed respecting Goods the Produce or Manufacture of any of the said Islands, and imported into any Part of the United Kingdom, and respecting such Goods when subject to any countervailing Duties or Regulations of Excise; and all such Spirits so imported shall, on Arrival in *England, Scotland, or Ireland* respectively, be dealt with in all respects as if the same had been distilled and made in the Country into which the same have been so imported, and shall be removed by Permit as Spirits of the like Kind or Denomination are directed to be removed by Permit under the Laws of Customs and Excise; and the Person or Persons to whom the same are sent for Sale shall have the same Privileges, and be subject to the like Licences, Regulations, and Penalties in respect of such Spirits, as Rectifiers, Dealers in and Retailers of Spirits in the Country into which such Spirits have been imported, and as if such Spirits had been distilled in the same.

SPIRITS FROM
CHANNEL
ISLANDS.

When so imported to be dealt with as Spirits the Manufacture of that Part of the United Kingdom into which imported.

Sect. 4. And be it enacted, That no Spirits of the Produce or Manufacture of any of the said Islands, and imported into any Part of the United Kingdom, shall be deemed or taken to be plain *British* Spirits under this Act, unless the same are made and distilled from the same Materials as the like Spirits are directed to be made when distilled in the United Kingdom; (*videlicet,*) Malt, Corn, or Grain, or any Mixture thereof, or Sugar only, or Potatoes only, or Mangel-wurzel only; and the Declaration and Certificate of Produce required by the Laws of the Customs shall specify the particular Materials aforesaid from which such Spirits have been manufactured; and in case any Dispute arises thereupon, the Proof that such Spirits have been made and distilled from such Materials as aforesaid shall lie upon the Importer, Owner, or Claimer thereof; and if any such Declaration or Certificate as aforesaid is found to be false in any of the Particulars aforesaid, or in any Particular therein mentioned, and required to be inserted therein by the Laws of the Customs, all the Spirits imported thereon, or to which such Declaration or Certificate relates, shall be forfeited, and may be seized by any Officer of Customs or Excise.

Plain Spirits the Manufacture of the Islands aforesaid to be made from the same Materials as in the United Kingdom. The Declaration and Certificate of Produce to certify the same, under pain of Forfeiture for any false Certificate.

Sect. 5. And be it enacted, That no Spirits of the Nature or Quality of *British* Brandy or *British* Compounds, or any Spirits other than plain *British* Spirits as the same are respectively denominated and described in the Laws of Excise and by this Act, the Produce or Manufacture of any of the said Islands, shall be imported into any Part of the United Kingdom, on pain of the Forfeiture thereof, and of all Casks or

Spirits of the Nature of *British* Brandy or Compounds, the Manufacture of any of the said Islands, prohibited to be imported.

SPIRITS FROM
CHANNEL
ISLANDS.

other Packages, and of the Vessel or Boat, used in the Removal or Importation thereof, which may be seized by any Officer of Customs or Excise; and the Importer thereof, and every Person concerned therein, shall for every such Offence incur the Penalty of One hundred Pounds; and all such Penalties and Forfeitures may be sued for, recovered, and applied as any other Penalties or Forfeitures under any of the Laws of the Customs or Excise.

All Channel
Island Spirits
may be entered
to be ware-
housed for Ex-
portation.

Sect. 6. And be it enacted, That any Spirits of the Produce or Manufacture of any of the Islands aforesaid may, if imported for Exportation only, be imported into the United Kingdom, to be entered and warehoused for Exportation only, under the Provisions of any Law or Laws of the Customs in force for the Time being made for the warehousing of Goods without Payment of Duty upon the first Entry thereof.

Act to com-
mence from
8th August as
to all prohibited
Spirits which
have been im-
ported since
that Date and
are now in
Bond.

Sect. 7. And be it enacted, That this Act shall be deemed to have commenced and shall take effect from and after the Eighth Day of *August* One thousand eight hundred and forty-four, for and in respect of all Spirits of the Nature or Quality of *British* Brandy or *British* Compounds, or other Spirits than plain *British* Spirits as denominated and described in the Laws of Excise and by this Act, the Produce or Manufacture of any of the said Islands, which have been imported at any Time subsequent to the above Date, and are now in Bond or Customs Warehouse, in so far that no such Spirits shall be removed or admitted into Consumption in any Part of the United Kingdom on Payment of any countervailing Duty or otherwise, but the same may be exported from the United Kingdom or otherwise as the Commissioners of Her Majesty's Treasury may in that respect direct.

Alteration of
Act.

Sect. 8. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

7^o GEO. 4. c. 48.

An Act to alter and amend the several Laws relating to the Customs.

[26th May 1826.]

SPIRITS
(ISLE OF MAN).

Sect. 49. (1) And be it further enacted, That no Low Wines or Spirits shall be made, extracted, or distilled in the *Isle of Man* from any Materials whatever; and if any Person shall make, extract, or distil, or cause or procure to be made, extracted, or distilled, any Low Wines or Spirits from any Material whatever, or shall use or mix, or cause or procure to be used or mixed, any Materials whatever with any Worts or Wash, in order to the making, extracting, or distilling of Low Wines or Spirits, or shall put or lay, or cause or procure to be put or laid, in any Vessel or Utensil, any Materials whatever for the Purpose of preparing any Worts or Wash, or for making, extracting, or distilling Low Wines or Spirits in the *Isle of Man*, that then and in each and every of the said Cases every such Person, and also every Person in whose Custody or Possession shall be found any Vessel or Utensil made use of contrary to the Intention of this Act, shall respectively, for every such Offence, forfeit and pay the Sum of Two hundred Pounds; and all such Materials, and such Worts and Wash, Low Wines and Spirits, and such Vessels or Utensils so made use of, shall be forfeited, and shall and may be seized by any Officer of the Customs; and all such Penalties and Forfeitures shall be sued for and prosecuted as any Penalty or Forfeiture relating to the Customs may be sued for and prosecuted under an Act passed in the last Session of Parliament, intituled *An Act for the Prevention of Smuggling*.

Distillation of
Low Wines and
Spirits in the
Isle of Man
prohibited.

(1) The other Sections of this Act have been repealed by 3 & 4 W. 4. c. 50. § 2.

4^o VICT. c. 8.

SPIRITS
(EAST INDIA
RUM, &c.)

An Act to reduce the Duty on Rum and Rum Shrub the Produce of and imported from certain *British Possessions* in the *East Indies* into the United Kingdom.

[6th April 1841.]

Sect. 1. [Duties on Rum and Rum Shrub, the Produce of certain *East Indian Possessions*, reduced.]

Such Rum, &c. to be the Produce of certain *British Possessions*.

Sect. 2. Provided always, and be it enacted, That such Rum or Rum Shrub shall be the Produce of some *British Possession* within the Limits of the *East India Company's Charter* into which the Importation of Foreign Sugar shall have been prohibited.

Act not to come into operation until Proof is laid before the Council that Foreign Rum, &c. has been prohibited to be imported into any of the *British Possessions* within the Limits of the *East India Company's Charter* from which the Importation of Rum, &c. is allowed by this Act.

Sect. 3. Provided also, and be it enacted, That this Act shall not come into operation until satisfactory Proof shall have been laid before Her Majesty in Council that Rum and Rum Shrub the Produce of any Foreign Country, or of any *British Possession* into which Foreign Sugar or Rum can be legally imported, have been prohibited to be imported into any of the *British Possessions* within the Limits of the *East India Company's Charter*, on the Importation from which of Rum or Rum Shrub the Duty of Nine Shillings and Four-pence *per Gallon* is hereby imposed, nor until the Governor General of *India* in Council shall have passed an Act containing such Regulations for the Prevention of Frauds by the Admixture of Spirits made from Rice, Grain, or other Substances, not being the Produce of the Sugar Cane or of the Date or Palm Tree, with the Rum or Rum Shrub to be exported under this Act, or otherwise, as in the Opinion of the said Governor General in Council shall be calculated for that Purpose; and in the event of any such Prohibition, and of the Enactment of such Regulations, it shall be lawful for Her Majesty, by and with the Advice of the Privy Council, or by Her Majesty's Order in Council, to be published from Time to Time in the *London Gazette*, to allow the Importation of Rum or Rum Shrub the Produce of the Possessions aforesaid to be admitted to Entry in the United Kingdom at the Duties hereby imposed.

Certificate of Origin.

Sect. 4. And be it enacted, That before any such Rum or Rum Shrub shall be entered in the United Kingdom as being the Produce of any such *British Possession*, the Master of the Ship importing the same shall deliver to the Collector or Comptroller of the Customs at the Port of Importation a Certificate under the Hand and Seal of the Collector of the Sea Customs of the Port where such Rum or Rum Shrub was taken on

board, testifying that there had been produced to him by the Shipper of such Rum or Rum Shrub a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Rum or Rum Shrub was produced that the same was of the Produce of such District; and the said Collector of Sea Customs shall, in the Certificate which he is hereby required to give, state the Name of the District or Districts in which such Rum or Rum Shrub was produced, the Quantity and Strength thereof, the Number and Denomination of the Packages containing the same, the Name of the Ship in which it is about to be laden and of the Master thereof; and that the Master of the Vessel importing such Rum or Rum Shrub shall also make a Declaration before the Collector and Comptroller that such Certificate was received by him at the Place where such Rum or Rum Shrub was taken on board, and that the Rum or Rum Shrub so imported is the same as is mentioned therein.

SPIRITS
(EAST INDIA
RUM, &c.)
—

Sect. 5. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
amended this
Session.

Sect. 6. Provided always, and be it enacted, That it shall be lawful for the Governor General of *India* in Council to appoint any Officer or Officers, other than the said Collector and Assistant Collector of Land Revenue and the Collector of Customs, to give such Certificate.

Governor
General may
appoint an
Officer to give
Certificates.

6° Geo. 4. Cap. 41.

STAMPS.

An Act to repeal the Stamp Duties payable in *Great Britain* and *Ireland* upon the Transfer of Property in Ships and Vessels, and upon Bonds and Debentures required to be given in relation to the Duties, Drawbacks, and Bounties of Customs or Excise; and to grant other Duties of Stamps on such Bonds and Debentures.

[10th June 1825.]

WHEREAS it is expedient to repeal the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively upon Conveyances, so far as relates to any Conveyance, Assignment, or Transfer of Property of or in any Ship or Vessel; and also to reduce the Stamp Duties payable upon Bonds given for or in respect of any of the Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any other Matter or Thing relating thereto in *Great Britain* or *Ireland* respectively, or payable upon Debentures or Certificates for entitling any Person to receive any Drawback or Bounty payable out of the Revenue of Customs or Excise; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Stamp Duties now payable in *Great Britain* and *Ireland* respectively upon or in respect of any Bill of Sale, or any Conveyance, Assignment, or other Deed or Instrument whatever, for the Sale, Transfer, or other Disposition, either absolutely, or by way of Mortgage, or otherwise, of any Ship or Vessel, or any Part, Interest, Share, or Property of or in any Ship or Vessel, shall wholly cease, determine, and be no longer paid or payable; any thing in any Act or Acts of Parliament contained to the contrary thereof in anywise notwithstanding.

Stamp Duties
on Bills of Sale,
&c. of Vessels
to cease.

Stamp Duties
on Bonds given
under the Di-
rection of the
Commissioners
of Customs or
Excise, and on
Debentures or
Certificates for
receiving
Drawbacks or
Bounties, to
cease.

Sect. 2. And be it further enacted, That from and after the passing of this Act, all Stamp Duties now payable in *Great Britain* and *Ireland* respectively upon any Bond given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Offices, for or in respect of any of the Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any other Matter or Thing relating thereto, and also all Stamp Duties now payable in *Great Britain* and *Ireland* respectively upon Debentures or Certificates for entitling any Person to receive any Drawback of any Duty or Duties,

or Part of any Duty or Duties, of Customs or Excise, or any Bounty payable out of the Revenue of Customs or Excise for or in respect of any Goods, Wares, or Merchandize exported, or shipped to be exported, from *Great Britain* or *Ireland* respectively to any Part beyond the Seas, shall respectively cease and determine, and be no longer paid and payable; and that in lieu thereof, from and after the passing of this Act, there shall be raised, levied, collected, and paid, unto and for the Use of His Majesty, His Heirs and Successors, throughout the United Kingdom of *Great Britain* and *Ireland*, the Stamp Duties following; that is to say, for and upon every Bond (1) given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, for or in respect of any of the Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any other Matter or Thing relating thereto, (except Bonds and other Securities exempted from Stamp Duty by any Act in force for the Encouragement of the *British* Fisheries, or relating to the Exportation of Tobacco from His Majesty's Warehouses, and except Coast Bonds, or Bonds relative to the carrying of Goods and Merchandize Coastwise, given pursuant to any Act in force for the Relief of the Coast Trade of *Great Britain* and *Ireland*, or pursuant to the Directions of any Proclamation or Order in Council by His Majesty, His Heirs and Successors,) the Sum of Five Shillings; for and upon every Debenture or Certificate for entitling any Person or Persons to receive any Drawback of any Duty or Duties, or Part of any Duty or Duties, of Customs or Excise, or any Bounty payable out of the Revenue of Customs or Excise for or in respect of any Goods, Wares, or Merchandize exported, or shipped to be exported, from *Great Britain* or *Ireland* respectively, to any Parts beyond the Seas, (except Debentures or Certificates for Bounty exempted from Stamp Duty by any Act or Acts of Parliament in force for granting a Bounty on the Exportation of Linen or Sail Cloth,) the Sum of Five Shillings.

STAMPS.

The following Duties to be paid; viz.
On Bonds, and on Debentures or Certificates, 5s.

Sect. 3. And be it further enacted, That the Duties hereby granted shall be under the Care and Management of the Commissioners for the Time being appointed to manage the Duties on Stamped Vellum, Parchment, and Paper in *Great Britain* and *Ireland*, or the major Part of them respectively; and the said Commissioners are hereby respectively empowered and required to provide proper and sufficient Stamps or Dies for expressing and denoting the several Duties hereby granted, on the Amount thereof, upon the Vellum, Parchment, or Paper chargeable therewith, and to alter and renew such Stamps or

Duties to be under the Management of the Commissioners of Stamps.

(1) See 7 Vict. c. 21. § 8.

STAMPS.

Dies from Time to Time as Occasion shall require, and also to employ such Officers and Persons under them, and to do all such other Acts and Things as shall be deemed necessary or expedient for effectually raising and collecting the Duties hereby granted, and for putting this Act into execution, in the like and in as full and ample Manner as they or any former Commissioners respectively are or have been authorized to do for the raising and collecting of any former Stamp Duties, or for putting into execution any Act or Acts of Parliament relating thereto.

Penalty on Agents including in the same Bond Goods belonging to more Persons than One, not being Partners, &c. 50l.

Sect. 4. And be it further enacted, That from and after the passing of this Act, if any Agent or other Person who shall be required by any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, to give or enter into any Bond for or in respect of any Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any Matter or Thing relating thereto, shall include in one and the same Bond any Goods or Things *bonâ fide* belonging to more Persons than one, not being Copartners, or Joint Tenants, or Tenants in Common, every such Agent or other Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds.

Powers of former Acts relating to Stamps to extend to this Act.

Sect. 5. And be it further enacted, That all the Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, Pains, and Penalties contained in and imposed by the several Acts of Parliament relating to the Duties hereby repealed, and the several Acts of Parliament relating to any prior Duties of the same Kind or Description, shall be of full Force and Effect with respect to the Duties hereby granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged or chargeable therewith, and to the Persons liable to the Payment of the said Duties, as far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise relating thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted with reference to the said Duties hereby granted.

7^o VICT. Cap. 21.

An Act to reduce the Stamp Duties on Policies of Sea Insurance and on certain other Instruments, and to repeal the Duties on certain Bonds, and the Law requiring Public Notaries in *Ireland* to deliver Accounts of Bills and Notes noted by them. [6th June 1844.]

STAMPS.

Sect. 8. And whereas by an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act to repeal the Stamp Duties payable in Great Britain and Ireland upon the Transfer of Property in Ships and Vessels, and upon Bonds and Debentures required to be given in relation to the Duties, Drawbacks, and Bounties of Customs or Excise, and to grant other Duties of Stamps on such Bonds and Debentures*, the Stamp Duty of Five Shillings was granted and is now payable for and upon every Bond given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, for or in respect of any of the Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any other Matter or Thing relating thereto, except certain Bonds in the said Act mentioned and exempted from the said Duty: And whereas it is expedient to repeal the said Duty granted by the last-recited Act, so far as relates to Bonds given with relation to the Drawback of any of the Duties of Customs or Excise on the Exportation of Goods to Foreign Parts; be it therefore enacted, That from and after the passing of this Act, the said Stamp Duty of Five Shillings granted by the said last-recited Act, so far as the same is charged or payable for or upon any Bond to be given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, upon or with relation to the receiving or obtaining, or for entitling any Person to receive or obtain, any Drawback of any Duty or Duties, or Part of any Duty or Duties, of Customs or Excise, for or in respect of any Goods, Wares, or Merchandize exported or shipped to be exported from *Great Britain or Ireland* respectively to any Parts beyond the Seas, or for or upon any Bond to be given as aforesaid upon or with relation to the obtaining of any Debenture or Certificate for entitling any Person to receive any such Drawback as aforesaid, shall cease and determine, and the same is hereby repealed.

Recital of
6 G. 4. c. 41.

Stamp Duty
on Bonds given
for obtaining
Drawbacks of
Duties of Customs or Excise
repealed.

[The remaining Sections of this Act do not relate to the Customs.]

8^o VICT. Cap. 5.

SUGAR.

An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom. [24th *April* 1845.]

Most Gracious Sovereign,

Duties imposed
by 7 & 8 Vict.
c. 28. repealed.

Duties imposed
in lieu thereof.

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned, and therefore do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fourteenth Day of *March* One thousand eight hundred and forty-five the Duties imposed on Sugar and Molasses by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty, until the Fifth Day of July One thousand eight hundred and forty five, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and forty-four*, shall cease and be no longer payable; and that from and after the said Fourteenth Day of *March* until the Fifth Day of *July* One thousand eight hundred and forty-six, in lieu thereof, there shall be charged the Duties of Customs following; (that is to say,)

On Sugar and Molasses the Growth and Produce of any *British* Possession in *America*, or of any *British* Possession within the Limits of the *East India* Company's Charter into which the Importation of Foreign Sugar is prohibited, and imported from thence, the Duties following; (that is to say,)

Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every	£	s.	d.
Hundred Weight - - -	1	1	0
Other Refined Sugar - - -	0	18	8
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being refined, for every Hundred Weight - - -	0	16	4

SUGAR.

Brown Sugar, being Muscovado or Clayed, or any other Sugar, not being equal in Quality to White Clayed, for every Hun- dred Weight - - - - -		£	s.	d.
		0	14	0
Candy, Brown, for every Hundred Weight -		1	6	0
— White, for every Hundred Weight -		1	15	0
Molasses, for every Hundred Weight -		0	5	3
On Sugar the Growth and Produce of any other <i>British</i> Possession within the Limits of the <i>East India</i> Company's Charter, the Duties following; (that is to say,)				
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being refined, for every Hun- dred Weight - - - - -		1	1	9
Brown Sugar, being Muscovado or Clayed, or any other Sugar not being equal in Quality to White Clayed, for every Hun- dred Weight - - - - -		0	18	8
On Sugar the Growth and Produce of <i>China</i> , <i>Java</i> , or <i>Manilla</i> , or of any Foreign Country the Sugars of which Her Majesty in Council shall have declared, or may hereafter declare, to be admissible as not being the Produce of Slave Labour, and which shall be imported into the United Kingdom either from the Country of its Growth or from some <i>British</i> Possession, having first been imported into such <i>British</i> Possession from the Country of its Growth, the Duties following; (that is to say,)				
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being refined, for every Hun- dred Weight - - - - -		1	8	0
Brown Sugar, being Muscovado or Clayed, or any other Sugar not being equal in Quality to White Clayed, for every Hun- dred Weight - - - - -		1	3	4
Molasses, for every Hundred Weight -		0	8	9
On all other Sugars and Molasses, not otherwise charged with Duty, the Duties following; (that is to say,)				
Refined Sugar, for every Hundred Weight -		8	8	0
Brown, or Muscovado, or Clayed Sugar, not being refined, for every Hundred Weight		3	3	0
Molasses, for every Hundred Weight -		1	3	9
Candy, Brown, for every Hundred Weight -		5	12	0
Candy, White, for every Hundred Weight -		8	8	0
And so in proportion for any greater or less Quantity than a Hundred Weight.				

SUGAR.

Power to Her Majesty, by Order in Council, to declare the Sugars of other Countries to be admissible as not being the Produce of Slave Labour.

Sect. 2. And be it enacted, That it shall and may be lawful for Her Majesty and She is hereby empowered from Time to Time, by any Order or Orders in Council, to declare, with respect to any Foreign Country or Countries, that it having appeared to Her Majesty, upon sufficient Evidence, that the Sugars of such Country or Countries are not the Produce of Slave Labour, such Sugars shall (from and after a Day to be named in such Order) be deemed and taken not to be the Produce of Slave Labour; and from and after the Day so to be named in such Order the Brown, Muscovado, or Clayed Sugar (not being refined) of the Country or Countries mentioned in such Order shall be admissible to Entry for Home Consumption at the said respective Duties of One Pound Eight Shillings or of One Pound Three Shillings and Fourpence *per* Hundred Weight respectively, in like Manner as Sugars the Growth and Produce of *China, Java, or Manilla*.

Certificates and Declarations required.

Sect. 3. And be it enacted, That no Sugar shall be admissible to Entry for Home Consumption at the said Duties of One Pound Eight Shillings or One Pound Three Shillings and Fourpence *per* Hundred Weight respectively, unless the Master of the Ship importing the same shall have delivered to the Collector or Comptroller at the Port of Importation such Certificate or Certificates as herein-after are mentioned, nor unless such Master shall also make and subscribe a Declaration before such Collector or Comptroller that such Certificate or Certificates was or were received by him at the Place where such Sugar was taken on board, and that the Sugar so imported is the same as is mentioned therein.

Certificate required in respect of Sugar from China, &c.

Sect. 4. And be it enacted, That in case such Sugar shall be imported from *China, Java, or Manilla*, or from any other of the Countries named in such Order in Council as herein-before is mentioned, the Certificate so to be given to the Collector or Comptroller at the Port of Importation shall be under the Hand and Seal of the *British* Consul, Vice Consul, Consular Agent, or other Officer appointed in that Behalf by Her Majesty at the Place where such Sugar was taken on board, and shall certify that a Declaration in Writing had been made and signed before such Consul, Vice Consul, Consular Agent, or other Officer, by the Shipper of such Sugar, that the same was really and *bonâ fide* the Growth of the Country in which the same was so taken on board, and shall also certify that such Consul, Vice Consul, Consular Agent, or other Officer had examined the Contents of such Declaration, and believed the same to be true.

Certificate required in respect of such

Sect. 5. And be it enacted, That in case such Sugar shall be imported from any *British* Possession abroad the Master of the Vessel importing the same shall deliver to the Collector or

Comptroller at the Port of Importation, firstly, a Certificate under the Hand and Seal of the principal Officer of Customs at the Place where the same was taken on board, certifying that a Declaration in Writing had been made and signed before such principal Officer by the Shipper of such Sugar, that the same was really and *bonâ fide* the Growth of *China*, *Java*, or *Manilla*, or of some other of the Countries named in such Order in Council as herein-before is mentioned, and had been imported thence into such *British* Possession abroad as aforesaid, and also certifying that such principal Officer of Customs had examined the Contents of such Declaration, and believed the same to be true; secondly, a Certificate under the Hand and Seal of the *British* Consul, Vice Consul, Consular Agent, or other Officer appointed in that Behalf by Her Majesty, (if any such there be,) at the Place whence such Sugar shall have been imported into such *British* Possession abroad, certifying that a Declaration in Writing had been made and signed before such Consul, Vice Consul, Consular Agent, or other Officer, by the Shipper of such Sugar from such Place, that the same was really and *bonâ fide* the Produce of the Country from whence the same shall have been so imported into such *British* Possession abroad, and also certifying that such Consul, Vice Consul, Consular Agent, or other Officer had examined the Contents of such Declaration, and believed the same to be true: Provided always, that in case such Sugar shall be imported into the United Kingdom from any *British* Possession abroad, being Part of the Territories of the *East India* Company, the Certificate and Declaration hereby required to be given and received by the principal Officer of Customs may be respectively given and received by any Officer appointed for that Purpose by the respective Governments of such Territories.

SUGAR.

—
Sugar if imported from British Possessions abroad.

Sect. 6. And be it enacted, That with regard to Sugar the Growth of any Foreign Country between which Country and Her Majesty there is now subsisting any Treaty or Convention binding Her Majesty to grant to such Country, either conditionally or unconditionally, the Privileges of the most favoured Nation, or to permit, either conditionally or unconditionally, the Produce of such Country to be imported into the United Kingdom at the same Duties as are imposed upon the like Produce of any other Country, it shall be lawful for Her Majesty, and She is hereby empowered, from Time to Time, by any Order or Orders in Council, to declare that from and after a Day to be named in such Order, Brown, Muscovado, or Clayed Sugars (not being refined) the Growth of such Country, in case such Treaty shall continue to subsist, shall, if imported from such Country, or from any *British* Possession abroad, having been imported into such *British* Possession from such Country, be admitted to Entry for Consumption in the United

Her Majesty, by Order in Council, may declare the Sugars of Countries with which Her Majesty has Treaties of Reciprocity as to Duties to be admissible at 28s. and 23s. 4d. per Cwt. respectively.

SUGAR.

Kingdom at the aforesaid respective Rates of Duty of One Pound Eight Shillings and One Pound Three Shillings and Four-pence *per* Hundred Weight respectively, in like Manner as Sugars the Growth and Produce of *China, Java, or Manilla*; and from and after the Day so to be named in such Order the Sugars therein mentioned shall, if so imported as aforesaid, be so admitted accordingly, subject, nevertheless, to the Production of the like Certificates and the making of the like Declaration as are herein-before required with respect to Sugars the Growth of *China, Java, or Manilla*.

If such Treaty be conditional, Order in Council to state Fulfilment of Condition.

Sect. 7. And be it enacted, That in case the Privileges granted by any Treaty to any Foreign Country, in respect of which any Order in Council shall be issued under the Enactment lastly herein-before contained, shall have been granted conditionally, such Order shall expressly declare that such Foreign Country hath duly fulfilled the said Conditions, and is entitled to the said Privilege.

Her Majesty may allow Importation of Sugar and Molasses from British Possessions within the East India Company's Charter in which the Importation of Foreign Sugar is prohibited at the lower Rates of Duty.

Sect. 8. Provided always, and be it enacted, That if at any Time satisfactory Proof shall have been laid before Her Majesty in Council that as respects any *British* Possession within the Limits of the *East India* Company's Charter the Importation of Foreign Sugar has been prohibited, it shall and may be lawful for Her Majesty, and She is hereby empowered from Time to Time, by any Order or Orders in Council, to declare that Sugar and Molasses the Growth or Produce of any such *British* Possession may be imported from thence into the United Kingdom, and entered at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Growth or Produce of *British* Possessions within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is prohibited; and from and after the Publication of such Order, whilst the same shall continue in force, the Sugars and Molasses therein mentioned may be so imported and entered accordingly.

Such Sugar and Molasses to be entered at the lower Rates of Duty upon the Conditions on which Bengal Sugar was admissible under 6 & 7 W. 4. c. 26.

Sect. 9. Provided always, and be it enacted, That any Sugars or Molasses the Produce of any *British* Possession within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is or shall be prohibited, which shall be entered for Home Use at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Produce of such Possessions, shall be entered in the same and the like Manner and under the same or the like Conditions in and under which Sugar the Growth of the Presidency of *Bengal* might be entered for Home Use under the Provisions of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting to His Majesty, until*

the Fifth Day of July One thousand eight hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-six, at the lower Rate of Duty therein mentioned.

SUGAR.

Sect. 10. And be it enacted, That the respective Bounties now payable on the Exportation of certain Descriptions of Refined Sugar from the United Kingdom, by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His said late Majesty, intituled *An Act to grant certain Bounties and Allowances of Customs*, and also by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty, until the Fifth Day of July One thousand eight hundred and thirty-nine, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-eight*, and by the said Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, shall, from and after the Fourteenth Day of *March* One thousand eight hundred and forty-five, cease and determine; and that in lieu thereof there shall be paid and allowed the following Bounties; (that is to say,)

Upon Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Hundred Weight	£	s.	d.
	-	-	- 1 0 0
Upon other Refined Sugar, in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified, and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crashed, or broken, for every Hundred Weight	-	-	- 0 17 0
Upon Bastard or Refined Sugar, broken in Pieces, or being ground or powdered Sugar, pounded or crashed or broken, for every Hundred Weight	-	-	- 0 14 0

Sect. 11. And be it enacted, That the several Duties, Bounties, and Allowances by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied, or appropriated under the Provisions of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting Duties of Customs*, and of another Act passed in the same Year, intituled *An Act to grant certain Bounties and Allowances of Customs*, and of any other Act or Acts in force relating to the Customs.

Collection of Duties.

3 & 4 W. 4. c. 56.
3 & 4 W. 4. c. 58.

SUGAR.

Commissioners
of Customs to
provide stand-
ard Samples of
White Clayed,
&c. Sugar.

Sect. 12. And be it enacted, That the Commissioners of Customs shall forthwith provide Samples of White Clayed Sugar, and of Sugar rendered by any Process equal in Quality to White Clayed Sugar, with reference to Colour, Grain, and saccharine Matter, which Samples shall be deemed to be standard Samples, for the Purpose of comparing therewith such White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed Sugar, as from and after the Fourteenth Day of *March* One thousand eight hundred and forty-five may be entered for Home Consumption; and such standard Samples shall from Time to Time be renewed whenever the said Commissioners may deem it expedient; and no Sugar shall, as regards the Payment of Duty, be deemed or taken to be White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, unless it shall, with reference to Colour, Grain, and saccharine Matter, equal the standard Samples so respectively provided by the said Commissioners.

Orders in
Council may
be revoked.

Sect. 13. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, from Time to Time to revoke or alter any Order in Council previously made under the Authority of this Act.

Orders in
Council to be
published.

Sect. 14. And be it enacted, That every Order in Council to be made under the Authority of this Act shall, as soon as may be after the making thereof by Her Majesty in Council, be published in the *London Gazette*.

Copies of Order
in Council to
be laid before
Parliament.

Sect. 15. And be it enacted, That a Copy of every Order of Her Majesty in Council made under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

Act may be
amended this
Session.

Sect. 16. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

6° & 7° GUL. 4. Cap. 26.

An Act for granting to His Majesty, until the Fifth Day of *July* One thousand eight hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-six. [4th *July* 1836.]

SUGAR.

Sect. 5. And be it further enacted, That before any Sugar shall be entered as being of the Produce of any of the Provinces composing the Presidency of *Fort William* in *Bengal*, or of any of the Dependencies thereof, being a *British* Possession, at the lower Rate of Duty fixed by this Act, the Master of the Ship importing the same shall deliver to the Collector or Comptroller of the Customs at the Port of Importation a Certificate under the Hand and Seal of the Collector of Sea Customs of the Port where such Sugar was taken on board within the Limits of the Presidency of *Fort William* in *Bengal*, or of any of the Dependencies thereof, being a *British* Possession, testifying that there had been produced to him by the Shipper of such Sugar a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Custom Revenue of the District within which such Sugar was produced that such Sugar was of the Produce of the District, and that the Importation into such District of Foreign Sugar, or Sugar the Growth of any *British* Possession into which Foreign Sugar can be legally imported, is prohibited; which Certificate so granted by the said Collector of Sea Customs shall state the Name of the Districts in which such Sugars were produced, their Quantity and Quality, the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they are laden, and of the Master thereof; and that such Master shall also make a Declaration before the Collector or Comptroller that such Certificate was received by him at the Place where such Sugar was taken on board, and that the Sugar so imported is the same as is mentioned therein.

Certificate of Origin.

Sect. 6. Provided always, and be it further enacted, That it shall be lawful for the Governor General of *India* in Council to appoint any Officer or Officers, other than the said Collector and Assistant Collector of Land Revenue and the Collector of Customs, to give such Certificates.

Governor General may appoint Persons to give Certificates.

[The other Sections of this Act are not required for the Purposes of this Compilation.]

9^o GEO. 4. Cap. 93.

SUGAR
AVERAGE.

An Act to allow Sugar to be delivered out of Warehouse
to be refined. [28th July 1828.]

[This Act except so much thereof as relates to the ascertaining and publishing of the Average Price of Sugar is repealed by 3 & 4 W. 4. c. 50. s. 3. The following are the Sections saved by that Act.](1)

Mode of ascer-
taining Average
Price of Sugar.

Sect. 2. And in order that the proper Duties imposed by this Act may be ascertained, be it further enacted, That the Prices of Brown or Muscovado Sugar, the Produce of the *British* Possessions in *America*, shall from Time to Time be ascertained and taken in manner herein-after mentioned; (that is to say,) every Importer or Importers of such Sugar within the City of *London* or the Bills of Mortality, who shall, after the Fifth Day of *August* One thousand eight hundred and twenty-eight, by himself or themselves, his or their Sworn Broker, or any other Agent acting in his or their Behalf, buy or sell any such Brown or Muscovado Sugar, shall and is hereby required, by himself or themselves, his or their Sworn Broker, or any other Agent acting in his or their Behalf, to deliver in, upon Oath before the Lord Mayor or any of the Aldermen of the said City of *London* (which Oath the said Lord Mayor or Aldermen are hereby respectively authorized to administer), to the Clerk of the Grocers Company now and for the Time being, on or before *Tuesday* in every Week, a true Account of the Quantities of such Brown or Muscovado Sugar bought or sold by him or them, his, her, or their Sworn Broker, or any other Agent acting in his or their Behalf, in the preceding Week, specifying the Name of the Ship in which such Sugar was imported, and the Name of the Master of such Ship, and also the Marks and Packages, and the Sum Total of the net Landing Weights of such Sugar, as far as the same can be made out, and the Price paid for each Quantity respectively, exclusive of the Duty of Customs; and the said Clerk of the Grocers Company shall and he is hereby required to compute and make up in every Week, from the Accounts so delivered to him of the said Quantities and Prices of such Sugar bought or sold by the said Importer or Importers, his or their Sworn Broker, or any other Agent acting in his or their Behalf, in the Week immediately preceding, the Average Price of such Sugar, and shall cause such Average Price to be published every *Friday* in the *London Gazette*; and such Average Price shall be deemed and

(1) These Regulations are extended to East Indian Sugar by 8 & 9 Vict. c. 86. § 145.

taken to be the Price of Brown or Muscovado Sugar for the Purposes of this Act.

SUGAR
AVERAGE.

Sect. 3. And be it further enacted, That a Register or Book shall be kept by the said Clerk of the Grocers Company, containing all the Accounts so received by him from Time to Time from the Importer or Importers, his or their Sworn Broker, or any other Agent acting in his or their Behalf, and of the Average Prices by him computed and made up from the same; which Register or Book shall and may at convenient Times be inspected by any Person or Persons whatever, upon paying the Fee of One Shilling and no more for the same.

A Register or Book of the Average Prices to be kept by the Clerk of the Grocers Company.

Sect. 4. And be it further enacted, That if the said Clerk of the Grocers Company shall neglect to do and perform what he is required by this Act to do and perform, he shall forfeit and pay for every such Neglect the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or any more than One Impar lance, shall be granted or allowed.

Penalty on Clerk neglecting to do what is herein required.

Sect. 5. And be it further enacted, That if any Importer or Importers, or any Sworn Broker or other Agent acting in his or their Behalf, shall refuse or neglect to deliver in upon Oath a true Account of the Quantities of Brown and Muscovado Sugar by him bought or sold, specifying the Name of the Ship in which such Sugar was imported, and the Name of the Master of such Ship, and also the Marks and Packages, and the Sum Total of the net Landing Weights of such Sugar, as far as the same can be made out, and the Price paid for each Quantity respectively, as herein-before required, he, they, or any of them, being the actual Buyer or Seller of such Sugar, shall forfeit and pay for every Cask of Sugar for which he or they shall so refuse or neglect to deliver in an Account the Sum of Five Pounds to any one who will prosecute and sue for the same, to be recovered before the Lord Mayor or any Aldermen of the said City on the Oath of any One or more credible Witness.

Penalty on Importers or Brokers failing to make true Returns.

The Remainder of this Act is repealed.

3^o & 4^o GUL. 4. Cap. 101.

TEA.

—

An Act to provide for the Collection and Management of the Duties on Tea. (1) [29th August 1833.]

Tea importable into British Possessions, &c. from Cape of Good Hope, &c.

Sect. 2. And be it further enacted, That it shall be lawful to import any Tea into any of the Islands of *Guernsey, Jersey, Alderney*, or *Sark*, or into the *British* Possessions of *America*, from the *Cape of Good Hope*, and Places Eastward of the same to the *Straits of Magellan*, or from the United Kingdom, and not from any other Place, in such and the like Manner as if the same were set forth in an Act passed in the present Session of Parliament to regulate the Trade of the *British* Possessions Abroad.

Abatement for Sea Damage not to be allowed.

Sect. 4. And be it further enacted, That no Abatement of Duty shall be made on account of Damage received by any Tea during the Voyage; but it shall be lawful for the Importer to separate the damaged Parts, and to abandon the same to the Commissioners of the Customs for the Duty.

(1) In consequence of subsequent Enactments the Second and Fourth Sections of this Act are the only Provisions of it requiring Insertion into this Compilation.

3^d & 4^o VICT. Cap. 18.

An Act to discontinue the Excise Survey on Tobacco,
and to provide other Regulations in lieu thereof.

TOBACCO.

[3d July 1840.]

Sect. 4. And be it enacted, That no Manufacturer of Tobacco or Snuff shall receive into any Workhouse, Storehouse, Room, Shop, or Place, or into his Custody or Possession, any Leaf or unmanufactured Tobacco of any Description otherwise than from the Warehouse in which the same shall be warehoused under the Laws and Regulations of the Revenue of Customs, and in the same Hogsheads, Cask, Chest, or Package, with the same Marks and Numbers thereon, in which the same shall be cleared and delivered from such Warehouse, on Payment of the Duty (save and except in the Case of Samples duly ticketed and certified by the proper Officer of Customs), nor without a true and lawful Permit granted by the proper Officer of Excise, under the Laws and Regulations of Excise relating to Permits accompanying such Tobacco; and every Manufacturer of Tobacco or Snuff who shall receive or have in his Custody or Possession any Leaf or unmanufactured Tobacco, contrary to the Directions aforesaid, shall forfeit the same, and Two hundred Pounds for every such Offence.

Leaf or un-
manufactured
Tobacco not to
be received into
a Manufac-
turer's Stock,
but from the
Warehouse, and
accompanied by
a Permit.

Sect. 6. And be it enacted, That no Leaf or unmanufactured Tobacco of any Description, save and except such Samples as aforesaid, shall be carried or removed from any Part or Place in the United Kingdom to any other Place or Part thereof, without a true and lawful Permit granted by the proper Officer of Excise, under the Rules and Regulations of an Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, intituled *An Act to consolidate and amend the Laws regulating the granting and issuing Permits for the Removal of Goods under the Laws of Excise*, accompanying the same, under the Pains, Penalties, and Forfeitures in the said Act contained.

No Leaf or
unmanufac-
tured Tobacco
to be removed
without a
Permit.

2 & 3 W. 4. c. 16.

Sect. 11. And be it enacted, That no Person whatsoever shall cut, colour, stain, or manufacture any Leaves of Trees, Herb, or Plant whatsoever (not being Tobacco Leaves or Plants) into the Form of or to imitate or resemble Tobacco, unmanufactured or manufactured, or shall mix with or add to any Tobacco any Leaves of Trees, Herb, or Plant not being Tobacco Leaves or Plants, or shall sell, vend, utter, or expose for Sale, or have in his Custody or Possession, any Leaves of Trees, Herb, or Plant cut, coloured, stained, or manufactured, or to be cut, coloured, stained, or manufactured into the Form or

No Person to
cut, colour, or
manufacture
Leaves of Trees,
&c. to imitate
Tobacco.

TOBACCO.

in imitation of or to resemble Tobacco, on pain of forfeiting One hundred Pounds, with all such Leaves, Herbs, or Plants which may be seized by any Officer of Excise or Customs.

No Person to hawk about Tobacco or Snuff for Sale.

Penalty.

Officers may arrest Offenders, and convey them before a Justice of the Peace, who shall forthwith hear the Case and inflict or mitigate the Penalty.

Proviso for Servants of Dealers.

No Drawback on Cut, Roll, or Carrot Tobacco containing Stalks.

Penalty on manufacturing such for Exportation.

Sect. 12. And be it enacted, That no Person or Persons whatsoever shall hawk or sell, or offer for Sale, any Tobacco or Snuff of any Description in or about the Streets or Highways or other Places, or in any other Manner or Place whatsoever, except in the entered Premises of a licensed Manufacturer or Dealer in or Retailer of Tobacco or Snuff, on pain of forfeiting all such Tobacco or Snuff, and One hundred Pounds; and it shall be lawful for any Officer of Excise or Customs to arrest and detain any Person who shall hawk or sell, or offer for Sale, in manner aforesaid, any Tobacco or Snuff, and to convey such Person before One or more of Her Majesty's Justices of the Peace residing near to the Place where such Person shall be arrested and detained; and the Justice or Justices before whom such Person shall be conveyed shall have full Authority and he and they is and are hereby required forthwith to hear and determine what shall be then and there alleged against such Person, and on Confession of the Party, or by Proof on Oath of One or more credible Witness or Witnesses made of such Offence, to convict any Person so offending as aforesaid, and the Person so convicted shall immediately on such Conviction pay the said Sum of One hundred Pounds, or some mitigated Amount, not being less than One Fourth Part thereof; and if any Person so convicted shall not forthwith pay down the said Penalty or Amount the said Justice or Justices shall and he and they is and are hereby authorized and required, by Warrant under his or their Hand, to commit the Person so convicted to any Gaol or Prison of the County, there to be kept to hard Labour for Three Calendar Months: Provided always, that nothing herein-before contained shall extend to make liable to the said Penalty any Servant or Person duly employed by any licensed Manufacturer of or Dealer in Tobacco or Snuff to travel for Orders, and producing Samples, in the due and ordinary Course of Business.

Sect. 13. And be it enacted, That no Drawback shall be allowed on any Cut, Roll, or Carrot Tobacco containing any Tobacco Stalks, or which has not been wholly made from Tobacco Leaf having the Tobacco Stalk stripped and separated therefrom, or from such Leaf so stripped, and Returns of Tobacco Leaf so stripped, and without the Stalks thereof; and every Manufacturer of Tobacco who shall manufacture or have in his Custody or Possession any such Cut, Roll, or Carrot Tobacco for Exportation shall forfeit Two hundred Pounds; and all such Tobacco shall be forfeited, and may be seized by any Officer of Customs or Excise.

Sect. 14. And be it enacted, That no Drawback shall be allowed on any Tobacco which shall not have been wholly manufactured from Tobacco on which the full Duty on Importation shall have been paid, nor on any Tobacco which shall be mixed with any Dirt or Rubbish, or which shall be made or manufactured with, or to which shall be added any other Ingredients, Matter, or Thing not necessary or usual in the manufacturing of Tobacco.

TOBACCO.

—
No Drawback
on Tobacco not
properly manu-
factured.

Sect. 15. And be it enacted, That every Person who shall enter or ship, or cause to be entered or shipped, or produce or cause to be produced to any Officer of Customs to be shipped for Exportation, any Tobacco not entitled to Drawback under this or any other Act relating to Tobacco, or any other Goods, Matter, or Thing as Tobacco, the same not being Tobacco, or shall fraudulently remove, deposit, or conceal any Tobacco or other Goods, Matter, or Thing, with Intent unduly to obtain any Drawback on Tobacco, or any greater Drawback than he would otherwise be entitled to, shall, over and above all other Penalties which he may thereby incur, forfeit Treble the Amount of the Drawback sought to be obtained, or Two hundred Pounds, at the Election of the Commissioners of Customs; and all such Tobacco or other Goods, Matters, or Things shall be forfeited, and may be seized by any Officer of Customs or Excise.

Penalty on
fraudulently
attempting to
obtain Draw-
back.

[The other Sections of this Act do not relate to the Customs.]

59^o GEO. 3. Cap. 54.

TREATIES.	An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of <i>America</i> , and a Treaty with the Prince Regent of <i>Portugal</i> . [2d July 1819.]
Convention, dated 3d July 1815.	WHEREAS a Convention of Commerce and Navigation was concluded between His Majesty and the United States of <i>America</i>, bearing Date the Third Day of <i>July</i> One thousand eight hundred and fifteen, for Four Years from the said Date: And whereas an Act was passed in the Fifty-sixth Year of the Reign of His present Majesty, intituled <i>An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America</i>: And whereas another Act was passed in the same Year of the Reign of His said Majesty, intituled <i>An Act to amend an Act passed in the present Session of Parliament, intituled 'An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America.'</i> And whereas another Act was passed in the Fifty-seventh Year of His said Majesty's Reign, intituled <i>An Act to allow British Goods to be exported direct from this Country to the United States of America, upon the same Terms as when exported to any Foreign Country</i>: And whereas a further Convention of Commerce and Navigation has been concluded between His Majesty and the United States of <i>America</i>, dated the Twentieth Day of <i>October</i> One thousand eight hundred and eighteen, whereby in the Fourth Article all the Provisions of the aforesaid Convention, concluded on the Third Day of <i>July</i> One thousand eight hundred and fifteen, except as therein excepted, are extended and continued in force for the Term of Ten Years from the Date of the Signature of the said further Convention: And whereas it is expedient to give effect to such Parts of the said Convention as require the Sanction of Parliament, and to make further Provisions than are contained in the said recited Acts passed in the Fifty-sixth and Fifty-seventh Years of His said Majesty's Reign; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts passed in the Fifty-sixth and Fifty-seventh Years of His present Majesty's Reign shall be and the same are hereby repealed.
56 G. 3. c. 15.	
56 G. 3. c. 51.	
57 G. 3. c. 58.	
Convention, dated 20th Oct. 1818.	
Recited Acts repealed.	
Goods of the Produce of the United States imported in American-built	Sect. 2. And be it further enacted, That upon the Importation into any Part of the United Kingdom of any Goods, Wares, or Merchandize, being the Growth, Production, or Manufacture of any of the Territories of the United States of <i>America</i> , imported

direct from the said Territories in any Ship or Vessel built in the Countries belonging to the said States, or any of them, or taken by any of the Ships or Vessels of War belonging to the Government or any of the Inhabitants of the said States, having Commissions or Letters of Marque and Reprisal from the Government of the said States, and condemned as lawful Prize in any Court of Admiralty there, such Ship or Vessel being owned by the Subjects of the said States, or any of them, and whereof the Master and Three Fourths of the Mariners are also Subjects of the said States, no higher or other Duties shall be charged or paid than such as are charged and payable upon Goods, Wares, and Merchandize, of the like Denomination or Description, being the Growth, Production, or Manufacture of any of the Territories of the United States of *America*, and being imported in *British*-built Ships or Vessels navigated and registered according to Law; any thing contained in an Act passed in the Forty-ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs, chargeable in Great Britain, and for granting other Duties in lieu thereof*, or any other Act to the contrary thereof notwithstanding.

TREATIES.

Vessels shall pay the like Duties as Goods imported in British Vessels

49 G. 3. c. 98.

Sect. 3. And be it further enacted, That all Goods, Wares, Merchandize, and Effects imported in any Ship or Vessel built in the said United States of *America*, or condemned as Prize there, and being owned and navigated as herein-before mentioned, shall and may be sold by Auction free of the Duty imposed by Law on Goods and Effects sold by Auction: Provided nevertheless, that nothing in this Act contained shall extend, or be deemed or construed to extend, to authorize the Sale of any such Goods or Effects free of the said Duty, unless on the First Sale of such Goods or Effects by or for the Account of the original Importer thereof, by whom the same were entered at the Custom House at the Port of Importation, nor unless such Sale shall be made within Twelve Months next after the Time when such Goods or Effects shall have been so imported.

Goods so imported in American-built Vessels may be sold by Auction free of that Duty.

Sect. 4. And be it further enacted, That the same Duties shall be paid or payable on the Exportation of all Goods, Wares, and Merchandize of the Growth, Produce, or Manufacture of *Great Britain*, exported direct from thence to any Port or Place within the Territories of the United States of *America* in *British*-built Ships, owned, registered, and navigated according to Law, or in Ships built in the United States of *America*, or condemned as Prize there, and being owned and navigated as herein-before mentioned, as are or shall be payable on the Exportation of the like Articles to *Europe*.

The same Duties shall be payable on Exportation of Goods exported in British-built Vessels to America as on the Exportation of like Articles to Europe.

Sect. 5. And be it further enacted, That upon the Exportation from the United Kingdom to the United States of *America*

Same Bounties allowed on

TREATIES.

Exportation of
Goods in Ame-
rican-built
Vessels as in
British-built.

of any Goods, Wares, or Merchandize, the Growth, Production, or Manufacture of the said United Kingdom or any of His Majesty's Territories in *Europe*, in any Ship or Vessel built in the said United States of *America*, or condemned as Prize there, and being owned and navigated as herein-before mentioned, the same Bounty or Allowance shall be paid as at the Time of such Exportation may be allowed upon the Exportation thereof to the said States in any *British*-built Ship or Vessel navigated and registered according to Law.

Vessels of
American-built
allowed to clear
out for the Bri-
tish Settlements
in the East
Indies, subject
to the same Re-
gulations as
British-built
Vessels.

Sect. 6. And whereas it is expedient that Vessels built in the Countries belonging to the United States of *America*, or any of them, or condemned as Prize there, and being owned and navigated as herein-before mentioned, should be allowed to clear out from any Part of the United Kingdom for the principal Settlements of the *British* Dominions in the *East Indies*, *videlicet*, *Calcutta*, *Madras*, *Bombay*, and *Prince of Wales's Island*, with any Articles which may legally be exported from the United Kingdom to the said Settlements in *British*-built Ships; be it therefore further enacted, That all Vessels built in the said United States of *America*, or any of them, or condemned as Prize there, and being owned and navigated as herein-before mentioned, shall be allowed to clear out from any Port of the United Kingdom for the following principal Settlements of the *British* Dominions in the *East Indies*, *videlicet*, *Calcutta*, *Madras*, *Bombay*, and *Prince of Wales's Island*, with any Goods, Wares, or Merchandize which may be legally exported from the United Kingdom to the said Settlements in *British*-built Vessels, subject to the like Rules and Regulations, Restrictions, Penalties, and Forfeitures, as are now by Law imposed upon the Exportation of such Goods to the said Settlements in *British*-built Ships; any Law, Custom, or Usage to the contrary notwithstanding.

Duties of
Package, &c.
payable to the
City of London
or any other
Corporation not
to be affected.

Sect. 7. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal or in anywise alter the Duties of Package, Scavage, Bailage, or Portage, or any other Duties payable to the Mayor and Commonalty and Citizens of the City of *London*, or to the Lord Mayor of the said City for the Time being, or to any other City or Town Corporate within *Great Britain*, or any other special Privilege or Exemption to which any Person or Persons, Bodies Politic or Corporate, is or are now entitled by Law in respect of Goods imported and exported, but the same shall be continued as heretofore.

Duties leviable
on American
and Portuguese
Vessels entering
the Ports of

Sect. 8. And whereas by the aforesaid Convention it is provided, that no higher or other Duties or Charges shall be imposed in any of the Ports in any of His Majesty's Territories in *Europe*, on the Vessels of the United States of *America*, than

shall be payable in the same Ports on *British* Vessels : And whereas a similar Provision was made in a Treaty of Amity, Commerce, and Navigation, concluded between His Majesty and His Royal Highness the Prince Regent of *Portugal*, dated the Nineteenth Day of *February* One thousand eight hundred and ten (1) : And whereas certain Rates and Duties, under the Denomination of Light Duties, Pilotage, Ballast, Buoyage, and Beaconage Rates, Harbour Duties, and other Dues, are now payable by Law, Charter, special Privilege, or Grant, to the Corporation of *Trinity House* of *Deptford Strond*, to the Trustees of *Ramsgate* Harbour, to other Bodies Politic and Corporate, and to sundry Persons in whom such Rates and Duties may be vested respectively, on Foreign Ships and Vessels, over and above the Rates and Duties payable on *British* Ships : And whereas it is expedient that the Object of the said Treaties should be effectually carried into execution : be it therefore enacted, That no higher or other Rates or Duties shall be levied on Ships or Vessels of the United States of *America*, or on *Portuguese* Ships or Vessels, entering or touching at any of the Ports of the United Kingdom, or of His Majesty's Territories in *Europe*, than are now or which may become hereafter payable on *British* Ships.

TREATIES.

—
this Kingdom
to be the same
as those payable
on *British*
Vessels.

Sect. 9. And whereas it is expedient that the said Corporation, Trustees of *Ramsgate* Harbour, other Bodies Politic and Corporate, and sundry other Persons, in whom such Rates and Duties are vested respectively, should be indemnified for the Loss sustained by means of this Act ; be it further enacted, That the Difference in such Cases between the Rates and Duties due and payable on *British* Ships, and those payable on Foreign Ships, shall be paid out of the Consolidated Duties of Customs ; and for the more effectual Security of the Public Revenue in respect of any Claims which in virtue of this Act may be made, all and every such Claim or Claims shall be transmitted by the aforesaid Trustees, Bodies Politic or Corporate, or Persons interested, or their Agent or Agents, to the Corporation of *Trinity House* of *Deptford Strond*, who are hereby required to examine the same, and, being satisfied as to the Correctness thereof, are to certify the same accordingly, under the Hand of their Secretary or other proper Officer, together with such Claim as the said Corporation may have, to the Commissioners of His Majesty's Customs in *London* quarterly, for their Order for the Payment thereof ; and the said Commissioners are hereby required to direct Payment of such Claims out of the Consolidated Duties of Customs to the said Corporation of *Trinity House* of *Deptford Strond* ; and the said Corporation are hereby required, after retaining what may be due as their Right, to pay over to the Trustees of *Ramsgate*

Certain Corporations to be paid the Difference of Duties on *British* and Foreign Vessels out of the Consolidated Duties of Customs ;

(1) This Treaty has since expired.

TREATIES.

Harbour, to other Bodies Politic and Corporate, and to the sundry Persons in whom such Rates and Duties may be vested respectively, the Amount of their respective Claims, subject only to such incidental or other Charges as have heretofore been made in the Collection of such Rates and Duties.

and the Duties of Package, &c. payable to the Corporation of London on account of American or Portuguese Subjects shall be payable in like Manner.

Sect. 10. And in order that the Objects of the said Treaties may be more fully effected, be it further enacted, That so much of the said Duties of Package, Scavage, Bailage, or Portage, or any other Duties payable to the said Mayor and Commonalty and Citizens of the City of *London*, or to the Lord Mayor of the said City for the Time being, as have been heretofore paid for or on account of *American* or *Portuguese* Ships, or *American* or *Portuguese* Subjects respectively, shall, after the passing of this Act, be paid out of the Consolidated Duties of Customs to the Collector appointed to receive such Duties; and the said Collector for the Time being is hereby required to transmit to the Commissioners of His Majesty's Customs, quarterly, an Account or Certificate of such Duties payable on Foreign Ships, and by *American* or *Portuguese* Subjects, for or on account of Merchandize imported or exported by them; the Amount of which quarterly Accounts or Certificates, after due Examination, and being satisfied as to the Correctness thereof, the said Commissioners of His Majesty's Customs are hereby required from Time to Time to order to be paid to the said Collector for the Time being out of the Consolidated Duties of Customs accordingly.

Act may be altered this Session.

Sect. 11. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this Session of Parliament.

Continuance of Act.

Sect. 12. And be it further enacted, That this Act shall continue in force so long as the aforesaid further Convention between His Majesty and the United States of *America*, and the aforesaid Treaty between His Majesty and His Royal Highness the Prince Regent of *Portugal*, and so long as any Treaty to be made with any Foreign Power (1) with the similar Provision herein-before recited, shall respectively continue in force.

(1) Various Treaties of Reciprocity are carried into effect by virtue of this Act. See also 8 & 9 Vict. c. 90. § 9.

7^o GEO. 4. Cap. 5.

An Act to give effect to Treaties of Commerce with Countries in *America* not at present provided with National Merchant Shipping. [22d March 1826.]

TREATIES.

WHEREAS Treaties of Amity, Commerce, and Navigation have been concluded between His Majesty and the Republics of the States of the *Rio de la Plate* and of *Colombia* respectively: And whereas it is expedient to give effect to such Parts of the said Treaties as require the Sanction of Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Ships of whatever Built, and in whatever Way acquired, being duly owned and navigated as the Ships of the said Republics respectively, shall, for the Term of Seven Years from the respective Dates of such Treaties, be deemed to be the Ships of those Countries respectively in all Places under *British* Dominion; any thing in the Law of Navigation to the contrary notwithstanding.

Ships owned and navigated as Ships of *Rio de la Plate* and *Colombia* to be deemed Ships of those Countries.

Sect. 2. And whereas Treaties of the like Nature may be concluded between His Majesty and other Countries in *America* not yet provided with National Merchant Shipping, built or acquired in manner required by the Law of Navigation; be it therefore enacted, That all Ships of whatever Built, and in whatever Way acquired, being duly owned and navigated as the Ships of particular Countries in *America*, shall be deemed to be the Ships of such Countries respectively, in all Places under *British* Dominion, for any Term not exceeding Seven Years, agreed to in that Behalf in any Treaty between His Majesty and any of such Countries respectively; any thing in the Law of Navigation to the contrary notwithstanding.

The like Privilege extended to Ships of other Countries in *America*.

3^d & 4th VICT. Cap. 95.

TREATIES
(AUSTRIAN
TREATY).

An Act to enable Her Majesty to carry into effect certain Stipulations contained in a Treaty of Commerce and Navigation between Her Majesty and the Emperor of *Austria*; and to empower Her Majesty to declare, by Order in Council, that Ports which are the most natural and convenient Shipping Ports of States within whose Dominions they are not situated may in certain Cases be considered, for all Purposes of Trade with Her Majesty's Dominions, as the National Ports of such States.
[10th August 1840.]

WHEREAS by an Act passed in the Session of Parliament of the Third and Fourth Years of His late Majesty King *William the Fourth*, intituled *An Act for the Encouragement of British Shipping and Navigation*, certain Goods therein enumerated, being the Produce of *Europe*, are prohibited to be imported into the United Kingdom to be used therein except in *British Ships*, or in Ships of the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are imported: And whereas a Treaty of Commerce and Navigation was entered into in the Year One thousand eight hundred and thirty-eight between Her Majesty and the Emperor of *Austria*, whereby the Commercial Intercourse between *Great Britain* and *Austria* has been greatly increased: And whereas the *Danube* is the principal Outlet for the Produce of a great Part of the *Austrian* Dominions, and the Ports of the *Danube* which belong to the Dominions of *Turkey* are the natural Shipping Ports for such Produce; and by the Fourth Article of the said Treaty of Commerce and Navigation it was agreed that all *Austrian* Vessels arriving from the Ports of the *Danube* as far as *Galatz* inclusively should, together with their Cargoes, be admitted into the Ports of the United Kingdom of *Great Britain* and *Ireland*, and of all the Possessions of Her *Britannic* Majesty, exactly as if such Vessels came direct from *Austrian* Ports, with all the Privileges and Immunities stipulated by the said Treaty of Navigation and Commerce: And whereas it is desirable, both in order to preserve good Faith with *Austria*, and to secure to *British* Subjects the Benefits of the said Treaty, that Her Majesty should be enabled to carry the Stipulations of the said Fourth Article into effect: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful, notwithstanding

3 & 4 W. 4. c. 54.

Her Majesty,
by Order in

any thing contained in the said Act of the Third and Fourth Years of His late Majesty King *William* the Fourth, for Her Majesty from Time to Time to declare by Her Order in Council, to be published in the *London Gazette*, that all *Austrian* Vessels arriving from the said Ports of the *Danube* as far as *Galatz* inclusively shall, together with their Cargoes, whether such Cargoes be the Produce of *Austria* or not, be admitted into the Ports of the United Kingdom of *Great Britain* and *Ireland*, and of all Possessions of Her Majesty, exactly in the same Manner as if such Vessels came direct from *Austrian* Ports; and thereupon, and for so long a Time as such Order shall be declared to be in force or shall remain unrevoked, it shall be lawful to import into the *British* Dominions from such Ports of the *Danube*, in *Austrian* Ships, any Goods which by the Laws in force at the Time of such Importation might be there imported in *Austrian* Ships from *Austrian* Ports.

TREATIES
(AUSTRIAN
TREATY).

Council, may direct certain *Austrian* Vessels to be admitted into the Ports of the United Kingdom, although the Cargoes may not be the Produce of *Austria*.

Sect. 2. And whereas by the Application of Steam Power to Inland Navigation, and the Facility thereby afforded of ascending Rivers in suitable Vessels with imported Goods, new Prospects of Commercial Adventure are opened to many States situated wholly or chiefly in the Interior of *Europe*, and whose most convenient Ports are not within their own Dominions, and consequently the Trade of this Country with such States might be greatly extended if the Ships of such States were permitted to use, for the Purposes of such Trade, some Ports of other States in like Manner as if such Ports were within their own Dominions, and accordingly Treaties of Commerce and Navigation beneficial to the Shipping and Trade of this Country might be made with such States if Her Majesty were enabled to carry such Treaties into effect; be it therefore enacted, That, notwithstanding any thing in the said Act of His late Majesty contained, it shall be lawful for Her Majesty from Time to Time to declare, by Her Order in Council, to be published as aforesaid, that any Port or Ports to be named in such Order, being the most convenient Port or Ports for shipping the Produce of any State to be also named in such Order, shall, although not situated within the Dominions of such State, be Port or Ports for the Use of the Ships of such State in the Trade of such Ships with all Parts of the *British* Dominions, or with any Part or Parts of the same named and limited in such Order, in as full and ample a Manner as if such Port or Ports were within the Dominions of such State; and thereupon, and for so long a Time as such Order shall be declared to be in force or shall remain unrevoked, it shall be lawful to import into the *British* Dominions, or into such Parts of the same as shall be named and limited in such Order, from such Port or Ports, in the Ships of such State, any Goods which by the Laws in force at the Time of such Importation might then be imported in such Ships from a Port of the Country to

Her Majesty, by Order in Council, may direct Foreign Vessels to be admitted to *British* Ports, although sailing from Ports not within the Dominions of the Country to which such Vessels belong.

TREATIES
(AUSTRIAN
TREATY).

which they belonged, and so to import such Goods upon the like Terms as the same could there be imported from the National Ports of such Ships.

[The Third Section of this Act is not required for the Purposes of this Publication.]

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LONDON : Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
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